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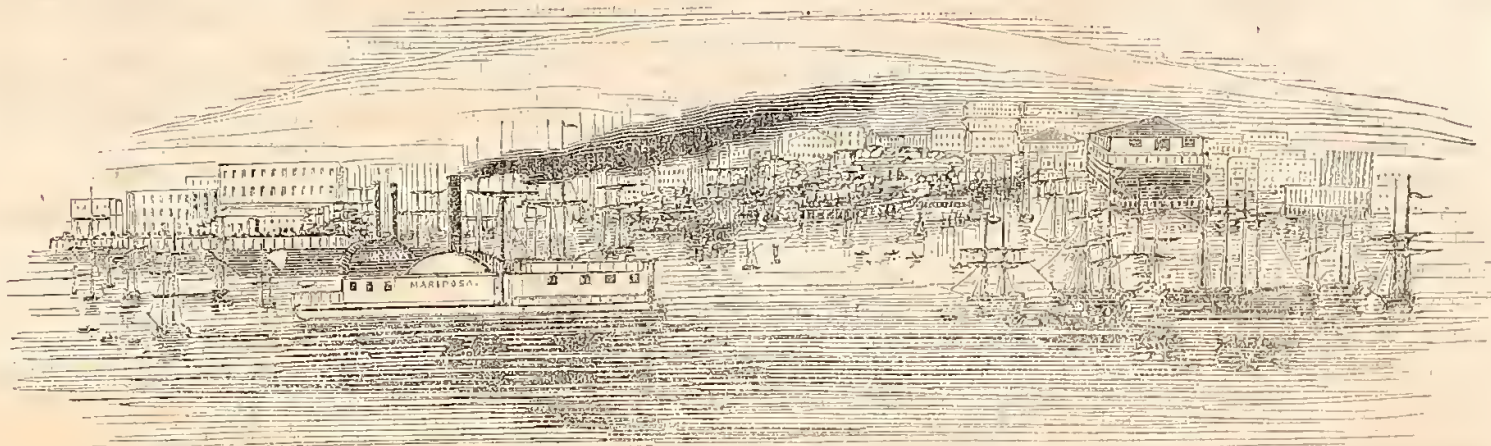
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THE

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# ILLUSTRATED CALIFORNIA NEWS



VOL. I.

SAN FRANCISCO, SEPTEMBER 1. 1850.

NO. 1.

## THE ILLUSTRATED CALIFORNIA NEWS;

PUBLISHED SEMI-MONTHLY, AT THE OFFICE OF

The Alta California,

Washington street, Portsmouth Square.

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ADVERTISEMENTS will be inserted at the usual rates.

### Oculus Subjecta Fidelibus.

CALIFORNIA is now the cynosure of every eye.—From the four quarters of the earth, regards are bent upon the land that almost realizes the tales of Eastern fiction, in wealth beneath, in adventure above, in vicissitudes of fortune, and almost magical rapidity of change. Amazement seems as yet to be a main ingredient in the feeling with which it is viewed; for the world is scarcely enough recovered from the excitement caused by the first recital of these marvels to look on them collectedly. Even now, notwithstanding the masses of correspondence, the libraries of volumes that have gone forth regarding it, men are all agape, as though it were yesterday's discovery; some swallowing every rumor with indiscriminate voracity; some confessing honestly that they know not what to think; a few affecting to listen with a half smile of incredulity, which they do not feel in their hearts; but all seizing with equal eagerness every fresh account that comes to hand. Tales of the diggings are sterling currency still, and welcome to all the world; like Cleopatra's beauty,

Age cannot wither them, nor custom stale  
Their infinite variety.

Fresh bands of adventurers are pouring in, day by day, to this extraordinary country, all bound by promise of imparting the wonders of El Dorado to less adventurous friends and relatives; while the

great majority, if we may judge by the size of the outward bound mails, would seem to be keeping that promise in its most liberal interpretation.

But the fame of California has been blazoned as yet by description only, which can convey, even when the work of the most practised pen, but a faint idea of what is sought to be portrayed. "The eye," says Horace, when exhorting play wrights to depend upon dramatic action rather than upon recital, for success—"the eye conveys a livelier impression than the ear." The roughest sketch of scenery gives a more faithful impression to the mind, and fixes it more strongly in the memory, than could be acquired from the unrivalled word-painting of even a Walter Scott.

The views which meet the eye in every part of this noble country, are only known as yet by a few stray pencil drawings, the advantage of which is confined to those in whose immediate possession they may chance to be. For want of the auxiliary graver, they remain a sealed book to the public at large, which must either travel and observe for itself, or be content to remain in ignorance. It is therefore with the most sanguine hopes of success that we have entered upon this undertaking, in an attempt to supply one of the very few deficiencies which yet remain to meet;—an illustrated magazine, at a price within the reach of every class.

As may be readily supposed, this journal will be conducted on principles widely different from those which direct a daily press. Strictly speaking, it is not so much a *news* paper, as a periodical; not so much a vehicle for the importation of knowledge from abroad, as a faithful representative of the country which gave it birth; an exporter, rather than an importer, of events. We wish it to savor of Califor-

nia, and of California only; to be "of the earth, earthy;" being by no means cosmopolitans in journalism, but opining that, as a matter of good taste, every journal should be characteristic of the country to which it belongs. For each community has its own peculiarities and distinguishing features, which should be carefully reflected by its press; the stronger the tinge of local coloring, the more interest will be gained in the eyes of those who do not actually reside on the spot.

We have said that *every* journal should typify, so far as it is able, its own peculiar sphere of action; but with ourselves, who have double means of carrying out our own theory—being able to portray the material features of the country, as well as the moral features of its society, its tone and characteristic traits—exclusive attention to that point is more especially requisite. Our main object is picturesqueness, in composition as well as in illustration: for the pictorial portion of these pages being the most marked feature in the work, with it the letter-press is bound to harmonize. In the place of loading our columns with reprints from the States, or from European papers, nothing will be admitted which cannot reasonably be expected to command attention in foreign parts, to which it may be assumed that nearly every copy will ultimately find its way. For we entertain a hope, that, when bound into volumes, it may be considered a record of California;—a record in a double sense, not only of its history and phases of society, but of the material changes which are working in the face of the country itself. In a few years hence, when San Francisco, Sacramento, Stockton, and San José shall be goodly cities, boasting substantial buildings and architectural adornments, in place of



Funeral obsequies of General Taylor.

Our illustration represents the scene in the Plaza of San Francisco, during the delivery of the Funeral Oration by the Hon. ELEAN HYDENFELT, from a platform erected immediately in front of the old adobe building. It has been only by dint of great exertion that we have been enabled to present to our readers the representation of a solemnity occurring so closely upon our own day of publication; had it not been, indeed, for the courtesy and consideration of Mr. Henry Bradley, who placed at our disposal a Daguerrean view of the subject, taken by himself, the engraving could not have been completed in the time required; and we should have missed the opportunity of forwarding to the States the Californian testimonial of respect towards him, by whose daring and military skill this territory was acquired to the Union.

The following is the programme of the procession, as arranged the previous day by the City authorities.

Agreeably to the request of the Committee of Arrangements, the Grand Marshal has issued the following order:

The Procession will assemble on Broadway, between Dupont and Stockton streets, at 9 o'clock, A. M., the right of the column on Dupont street.

CHIEF MARSHAL.

Committee of Arrangements.

BAND.

Marshal. California Lodge, No. 1—Masons. Marshal. David Crockett Lodge—Masons. Independent Order of Odd Fellows.

BAND OF MUSIC.

First California Guard.

HEARSE.

Marshals. PALL BEARERS. PALL BEARERS. Marshals.

Col. Mumford,	Capt. Wm. Webster,
W. A. Robertson,	Dr. Nott,
Wm. Gillman,	Thos. Battelle,
D. O. Shattuck,	Ph. W. Shepard,
E. C. March,	R. D. Steele,
Jas. V. Plume,	Capt. Codman,
Talbot H. Green,	W. A. Lewis,
Col. Wood,	M. F. Folger,
J. McCabe,	Thos. Maguire.

White Horse—caparisoned.

The Reverend Clergy.

Relatives of the Deceased.

Officers of the Army.

Officers of the Navy.

Ex-Officers and Soldiers Mexican War.

U. S. Government Officers.

Marshal. { Consuls and Representatives } Marshal.  
of Foreign Gov'ts.

Heads of Departments.

Members of Senate and Assembly, State California.

BAND OF MUSIC.

Will form on Broadway, in the order named.  
Marshal. FIRE DEPARTMENT. Marshal.

Engine Companies.

Hook and Ladder Companies.

Will form on Dupont, right on Broadway.

Mayor and Recorder.

City Council.

Chief of Police.

Members of Police.

County Officers.

Judges of the Courts.

Members of the Bar.

Medical Faculty.

Captains and Shipmasters in Port.

Mariners.

Marshal. BAND. Marshal.

REPRESENTATIVES OF STATES.

Virginia, Louisiana, Kentucky, Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, North Carolina, South Carolina, Georgia, Tennessee, Ohio, Indiana, Illinois, Maryland, Michigan, Missouri, Iowa, Wisconsin, Arkansas, Mississippi, Alabama, Florida, Texas, Oregon, California, under their respective Marshals.

Marshal. FOREIGN RESIDENTS. Marshal.  
Marshal. Marshal.

adobe walls and lumber sheds, our pages may be again turned over with curiosity, by way of marking the difference between past and present,—of proving by ocular demonstration the unparalleled progressive instinct of the American people. It shall be as a Nilometer, to measure the increase of a mighty river. By the text, on the other hand, we hope to preserve a large mass of traditional history, which is even now fading into oblivion for want of a commemorative pen, while by chronicling the more important events as they pass, and separating them, so far as possible, from circumstances of merely local interest and party consideration, it may serve as a substitute for history, until that department of the State literature shall have been more efficiently filled.

Upon one point we desire to be distinctly understood. Although we shall carefully guard ourselves from taking a prominent part in political matters, more especially in such as are of a merely local nature, still we feel that the entire exclusion of them from consideration might argue a careless indifference, which would be almost an affront to the community for which we write. Systematically to reject the subject, confining ourselves to descriptions of locality and literary disquisitions, would throw a damp upon our pages, a flatness of effect, that no power of language, or refinement of style could overcome.—To use a homely, but expressive phrase, it would be offering "porridge without salt."

Whenever we happen to believe ourselves capable of subjecting a broad question to the test of logical reasoning, not in the spirit of advocacy or partisanship, but in style of a judicial summing up;—whenever we see a chance of presenting the full strength of the argument on both sides to the judgment of the public, then, and then only, shall we suffer ourselves to speak.

With regard to party, we link ourselves with none, and interfere with none. Of course we cannot be without our own private political predilections; no man whose blood runs warm in his veins, who has a spark of social feeling or impressionable temperament about him, can venture to believe himself entirely free from party bias; we shall nevertheless make a point of suppressing it, inasmuch as that the expression of any such feeling not only intrudes upon the province of the daily press, but involves the chance of being drawn into controversy, a challenge which we shall resolutely decline to entertain. We shall endeavor to keep a straight forward course, casting off to the right and left, as irrelevant, every thing that does not directly tend to the advancement of the State.

Our claim to attention shall be based on the most rigidly punctilious regard to accuracy of fact.—Hackneyed as we are in public writing, swept along as we have often been in the full tide of the bitterest political controversy, we pride ourselves upon having never published a single line in the truth of which we did not religiously believe. There is no vain glory in the boast; any one can acquire a right to make the same, if he have only the will to win that right. We may be mistaken from time to time,—led astray by placing over-ready confidence in statements that we are unable to verify by personal experience; but will vouch for guarding as far as possible against every such mishap, by care in the selection of correspondents, and close comparison of opposite accounts. No monster gold stories, no ex parte statements, no crying up of one location at the expense of another, nothing but what shall have been first touched with the spear of Ithuriel, will ever find place in these columns. Setting aside all higher con-

siderations, we firmly believe that it is the ultimate interest of a public journal to keep this principle uppermost in view. In spite of the Hudibrastic warning, that

The world is naturally averse  
To all the truth it sees and hears;  
But swallows darkness, and a lie,  
With greediness and gluttony;

we are still convinced that the confidence of the public is the first object to secure, and that the public will not be long in finding out where that confidence may be securely placed.

The last point to be touched upon, before winding up this inaugural profession of faith, is one to the importance of which we are sensibly alive. Every free country is estimated abroad by the tone of its own press, which is considered, not unreasonably, as holding up the mirror to society. "Bad the crow, bad the egg," says a Greek proverb, of immemorial antiquity; and wherever journalism is marked by violence, by recklessness, or by palpably interested motives in expression of opinions, the blame will be justly attached, not so much to itself, as to the community that supports it. Nor is this consideration, that it is not the sole sufferer by its own misdeeds, the only one to be kept in prominent view. "Upon the press of this country," observes the writer of a very remarkable article in the Marysville Herald, "rests a great responsibility. For good and evil it has a great power. The newspaper, therefore, should be more than a price current of the markets, a reporter of crimes and events, a chronicle of gold diggings, or a 'snapper up of unconsidered trifles.' It should be the book from which may be drawn instructions and incentives to those moral and social qualities, which will more than any thing else tend to elevate the scale of the affections, and give to society in California that character which can alone secure its permanency as a State." Let us therefore pledge ourselves—so far as ability may allow—to make common cause with our elder brethren of the craft in supporting the principles, and working out the precepts, so eloquently insisted on in the article from which we quote; in maintaining a high standard of writing, both as regards morality, dignity of expression, and abstinence from unnecessary personalities. And though it behoves us to be chary of engaging for performance, we may safely promise never to offend.

Let it not therefore be supposed that we intend to indulge in lecturing, or to be guilty of any such unwarrantable assumption. "Never moralize without spectacles," quoth Doricourt in the Belle's Stratagem, to a tiresome adviser, with more practical wisdom in a single phrase than the other could command in the length of a sermon. To be merry as well as wise:—

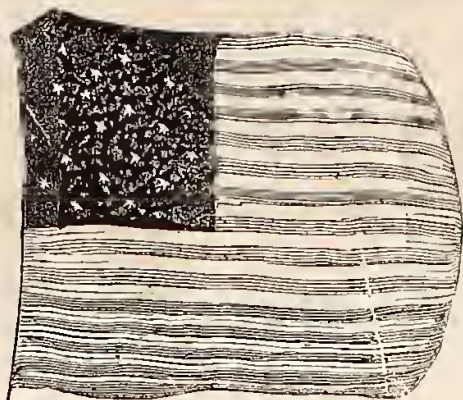
*Polla men gelioia ei-  
pein, polla de spoudaia,*

(why is there no Greek type to be had in California?) after the fashion of Aristophanes, who doubtless had his private reasons for the commixture of style which he adopted when addressing an Athenian audience—to back a word in season by a word in jest, is by no means the least effective preachment, after all. Like Master Shallow, "we have heard the chimes at midnight" in our time, and promise our heartiest thanks to any one who will enrich us with a characteristic anecdote, or racy witticism, "fire-new from the mint," or the mines, to lighten the dullness of our pages withal; barring Joe Millers, which are long since obsolete.

PHONANTA SUNETOISI.







The Procession will counter-march on Broadway, in order to give the several divisions an opportunity to assume their positions, as designated.

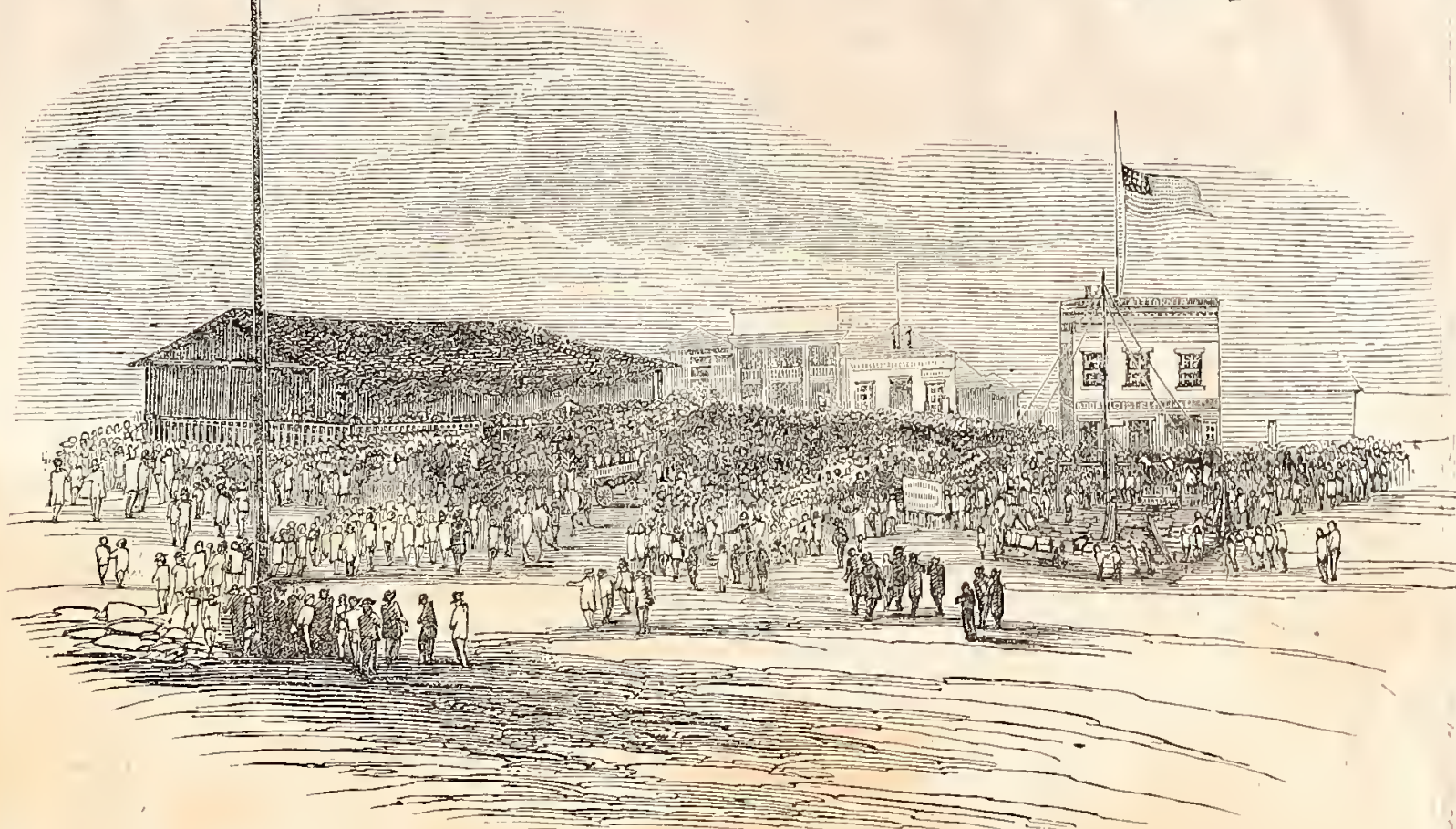
#### LINE OF MARCH.

When formed, the column will move down Dupont street to Sacramento, down Sacramento to Kearny, along Kearny to Commercial, down Commercial to Montgomery, up Montgomery to Pacific, through Pacific to Kearny, down Kearny to Portsmouth Square, where the address will be delivered.

The several Societies are requested to be promptly on the ground at the hour named, and to report themselves to the Marshals or Assistants.

The Assistant Marshals meet in front of Colonel Weller's office, at 8 o'clock, on Thursday morning.

JNO. B. WELLER, Grand Marshal.



OBSEQUIES IN THE PLAZA.

The procession formed upon Broadway, between Stockton and Dupont streets, and commenced moving at 11 o'clock.

After the Chief Marshal, Col. J. B. Weller, came the Committee of Arrangements, followed by a band of music. Next were the Masons—California Lodge, No. 1, David Crockett Lodge, and the Royal Arch Chapter. The Masons were followed by the Odd Fellows, accompanied by a band performing a mournful dirge as they marched along.

Both the Masons and Odd Fellows were dressed in the regalias of their orders. Many of our most eminent citizens were to be found in the ranks of the Masons and Odd Fellows—Judge Morse, Col. Stevenson, Col. Yale, and others.

The first California Guard followed in the procession. They also were accompanied by a band of music.

Next followed the hearse, drawn by four milk white horses. The horses were appropriately caparisoned, and were led by colored footmen in livery. A white horse, also caparisoned, followed immediately after the hearse. Upon the hearse were painted the last words of the President, "I have done my duty—I am ready to die."

Then came the clergy, relatives of the deceased, officers of the army and navy, officers and soldiers

who had served in the Mexican war, United States government officers, foreign Consuls, heads of departments and members of the Legislature. The revenue service was strongly represented. The sailors belonging to the cutter bore with them the United States flag, dressed with black. We also noticed Col. Collier, and most of the officers of the Custom House.

The Fire Department succeeded—first, the Howard Fire Company No. 1, then the St. Francis Hook and Ladder Company, and the Howard Hook and Ladder Company. The firemen formed a conspicuous part of the cortege.

The Mayor, the Recorder, the two Boards of Aldermen, the City Marshal and the Police, appeared next in the procession.

The Judges of Courts, Lawyers, Doctors, ship Captains and Sailors, followed in the succession we have mentioned, and then came the old Californians in goodly number. Next followed the representatives of the various States. The New Yorkers had a banner of blue satin, and the following inscription in gold letters—"Sons of New York. We mourn the loss of our President."

The early pioneers, men who have resided in California more than three years, were regarded with considerable curiosity. The old Californians form a sort of distinct class, for their associations

with this soil commenced at a time when few of our present population had dreamed of making California their residence.

The China Boys brought up the rear of the procession. They were dressed in their richest attire, and attracted the attention of all who had gathered to witness the display.

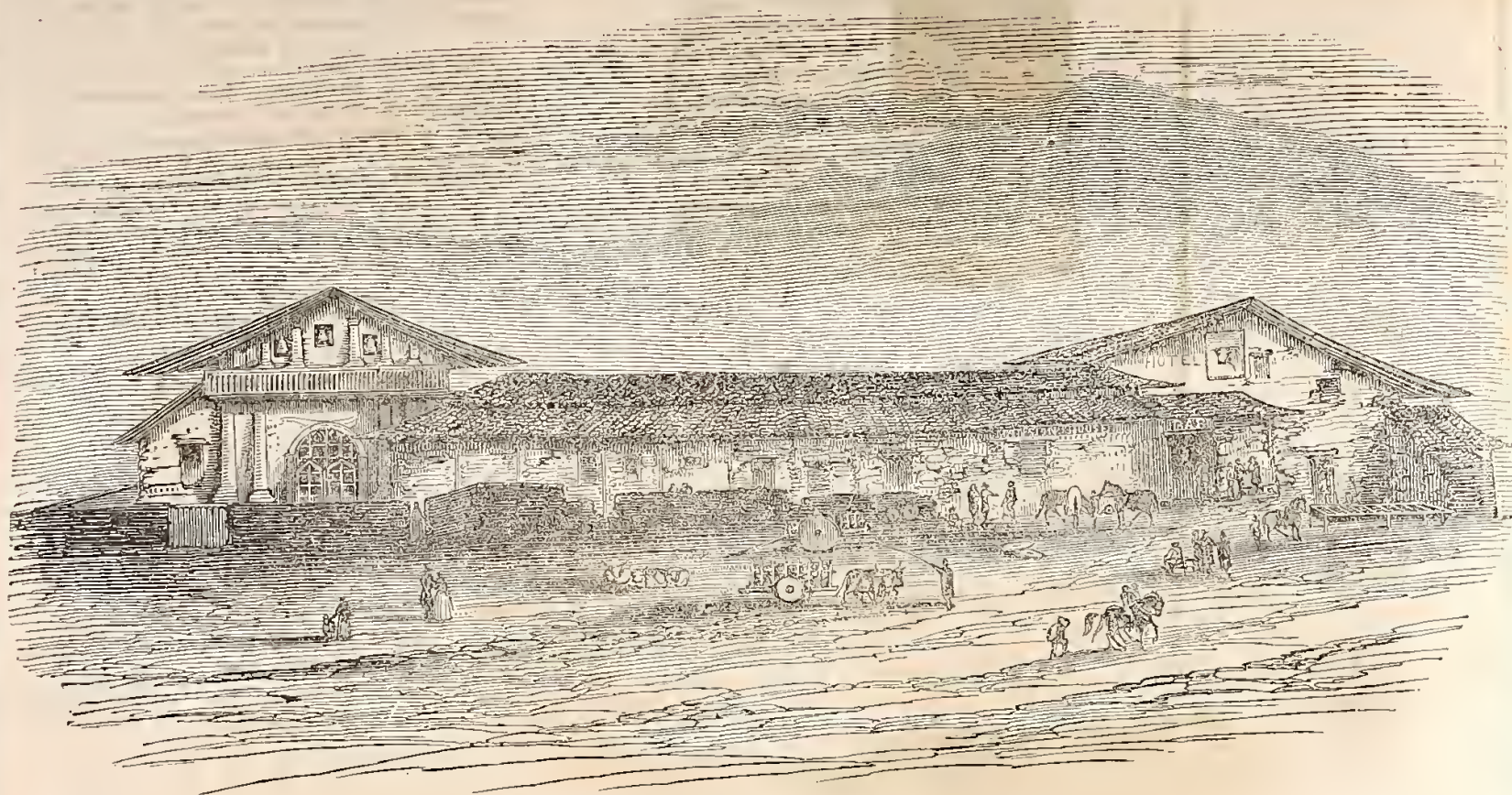
A platform had been erected immediately in front of the old adobe building, on Portsmouth Square, and here were performed the subsequent ceremonies. Seats had been reserved for ladies near the orator, and we may safely say that the fair sex never collected in larger numbers in San Francisco than upon this occasion. The proceedings in the plaza were, first, a prayer by Rev. Mr. Fitch.

The band stationed upon the platform performed a dirge, and then the Hon. Elkan Hydenfeldt, the orator of the day, was introduced. Mr. Hydenfeldt's eulogy was very brief, occupying only ten minutes. The life of the distinguished deceased he deemed to be his best eulogy.

Rev. Albert Williams pronounced a benediction, and then the assembly moved slowly and quietly away.

Full accounts having been given in the city papers of this day's solemnities, we content ourselves with condensing the substance of the *Alt. California* report.





MISSION OF DOLORES, SAN FRANCISCO.

**Mission of Dolores.**

The Mission was established on the 1st of August, 1776, in the reign of Charles the Third of Spain, by Don Francisco Talon, and Don Pedro Benito Cambon, Franciscans of the College of St. Ferdinand of Mexico, on the same day that the foundations of the old Presidio were laid by the military. The original site was not far distant from that of the present building, the first stone of which was laid on the 25th of April, 1782, although the chapel itself was not consecrated until May the 2d, 1792. The building comprises the residence of the priests, a chapel, a stable, and two cabarets, or houses of refreshment, all, with somewhat incongruous neighborhood, under a single roof. One of the latter, called the Mansion House, is kept in very good style by R. T. Ridler, the oldest settler in the place, who holds a ten years lease, under the church.

The Mission itself is delightfully situated, sheltered at the back by a semicircle of hills, with a fine slope of rich land in front, extending down to the water's edge. It may be observed indeed, as an almost invariable rule, that the sites of Abbots and Monasteries, except in a few Asiatic districts where asceticism prevailed, were chosen on a very different principle to that which guided the laity in their own selection. In the olden time, the bold baron, or knight who could muster a few jackmen in his train, would perch himself, like an eagle in his eyrie, on the top of the most inaccessible hill he could find; from which—having but indistinct notions of men and tum, the distinction between mine and thine—he would swoop down upon the unwary traveler, and then make good his retreat, secure from the reprisals of the neighboring townships, to his impregnable fastness. To view his choice in the most favorable light, he had an eye for the picturesque; while the monks, of more utilitarian temperament, would occupy the richer lands beneath, trusting to the dread of holy mother church, or possibly to the

love of it, for their defence. An ill-chosen, or unsheltered site for ecclesiastical purposes is rarely to be met; and certainly, the Mission de San Francisco y de los Dolores does not belie the rule.

We were shown there some old Spanish records of the place, rescued from destruction by one of the resident padres, of which we much regret having been unable, through pressure of time, to prepare an abstract as an accompaniment to the engraving. They may possibly furnish curious matter for a subsequent Number.

NOTICIAS DE LA MISION DE SAN FRANCISCO Y DE LOS DOLORES. El 1.º de Agosto, 1776, sous Charles III. roi d'Espagne, les Missionnaires Franciscains, du College de St. Ferdinand de Mexico, virent s'installer au milieu des peuplades qui bordaient l'immense baie qui limitait ces contrées.

Le même jour, on érigeait le Presidio, sur la pointe Nord de la Baie.

Les premiers missionnaires furent Don Francisco Talon, et Don Pedro Benito Cambon, qui fixèrent sur cette terre, non loin de l'endroit où se trouve aujourd'hui la Mission.

Par leurs soins, ils s'attachèrent les indigènes, qui vivaient très paisiblement dans le voisinage, mais dans un état de civilisation sauvage. Quelques vieillards existaient encore, mais ce n'est que par leurs pères qu'ils ont su les premiers secrets de cette œuvre si grande et si merveilleuse. Avant l'arrivée des missionnaires, les peuplades ne vivaient que de la chasse, et de la pêche. Pour cases et demeures ils n'avaient que des cabanes des feuillages. Comme tous les Indiens, ils rougissaient, de leur nudité, et se couvraient avec une ceinture, ornée d'herbes fines et déliées. Desirants d'avoir des vêtements et des vivres, ils accouraient autour des Missionnaires, qui prenaient un soin particulier de leur procurer les premiers besoins. Des qu'ils virent en nombre, ils jetèrent les fondements de l'église qui existe encore aujourd'hui: ce fut le 25 Avril, 1782, qu'on benit la première pierre de cet édifice, qui ne fut livré au culte que le 2 Aout 1792.

Déjà cette même année (1792), ils avaient déjà baptisé 1163 indigènes, fait 287 mariages, et donné la sépulture à 491 individus. La Mission se composait de 622 âmes. Grâce au soins des Missionnaires, les troupeaux étaient déjà cette même année, de 2500 bêtes à cornes, 10000 moutons, 930 chevaux, 41ne mulles, chevaux ou mules.

Ce fut en 1812 que cette Mission fut la plus nombreuse; elle comptait 1224 âmes. Les troupeaux jusqu'à cette époque s'étaient considérablement augmentés: ils posséderent 10740 bêtes à cornes, 10000 moutons, 930 chevaux, 41ne mulles.

Les semailles et les récoltes, en cette année 1812, furent de 245 fanegas de froment qui en produisirent 3792  
D'orge 210, qui 2406  
De féve 6 246  
Pois 3 150  
Mais 2 fanegas 6 almuds 100  
Haricots 2 55

At thy heels

Did Famine follow, whom thou fought'st against,  
Though daintily brought up, with patience more  
Than savages can suffer; thy palate then did deign  
The roughest berry on the rudest hedge;  
Yea, like the stag, when snow the pasture sheets,  
The bark of trees thou browsed'st; on the Alps,  
It is reported, thou did'st eat strange flesh,  
Which some do die to look on.

ANTONY AND CLEOPATRA.

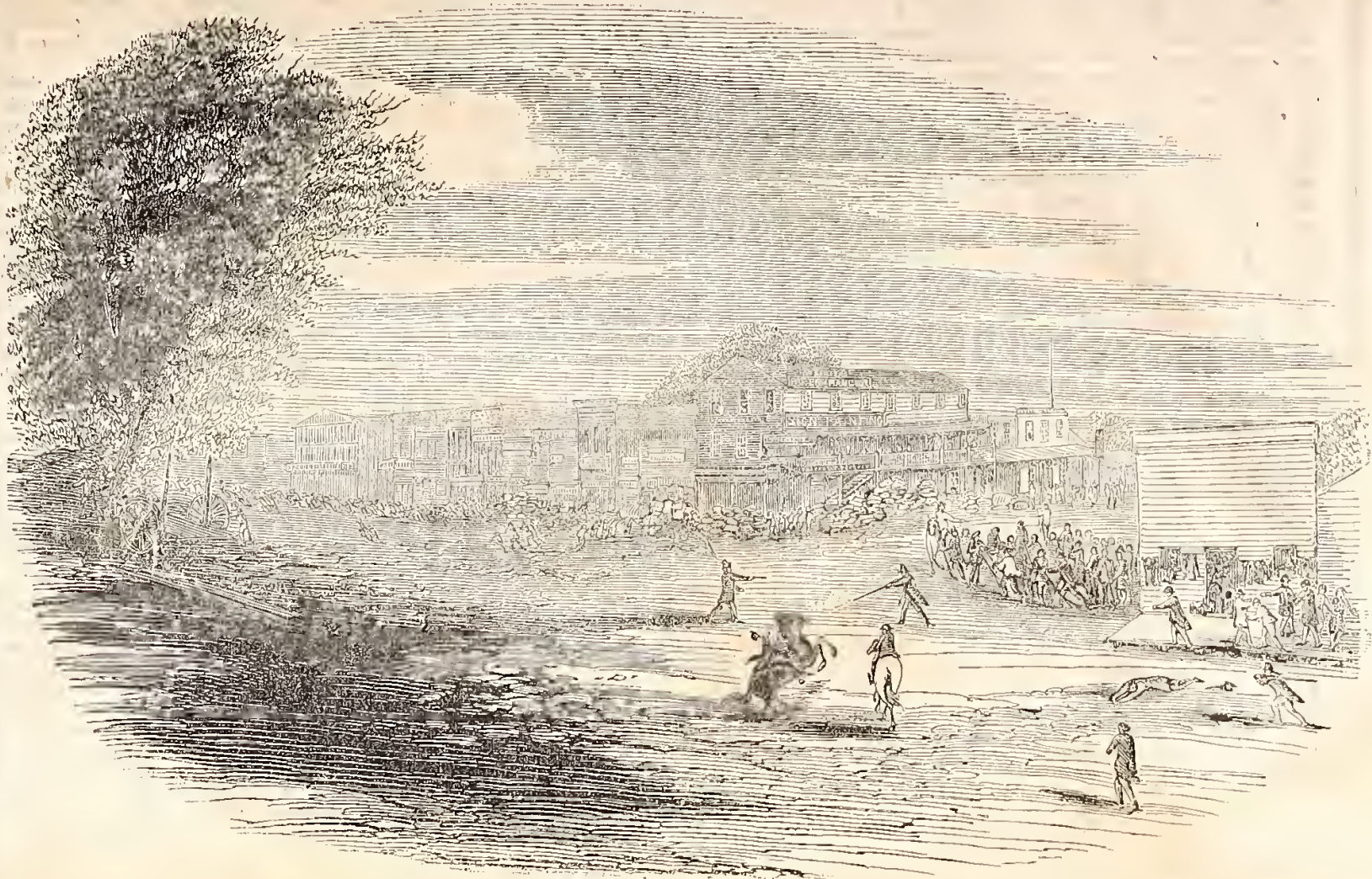
We cannot suffer our maiden number to go forth, without joining its exhortations to those of the daily press in behalf of the sufferers on the plains.

Although late to speak, we may yet be of service by keeping the subject before the public view. The necessity for exertion has not passed away; the foremost ranks may have been relieved, but the long files following after, on a path exhausted by the leading body, and with the additional chances of being overtaken by a more inclement season, have yet to be provided for.

Absolute starvation within a few degrees of us!—Sixty thousand souls on their weary way; forty miles of desert to be crossed, strewn with disheartening tokens of disaster; some reduced to disputing the carrion carcasses with the vulture and the crow; some, so it is said, driven to suicide in desperation; bodies lacking the rites of Christian burial, the survivors pushing on with all speed to save themselves;—the picture is too fearful to dwell upon.

Were it even on behalf of a strange people, aliens in blood and in language, the appeal could hardly be made in vain; but where the lives of thousands of fellow citizens are at stake—where no one can make sure, in the present feverish and impulsive rush from the Atlantic to the Pacific, that some friend or relative is not sharing the common peril, eking out his scanty stock in hope of bringing himself within the chances of relief—let it not be said that exertion should have flagged for a moment, until the safety of the very last remaining traveler in the summer migration be secured. Much has been done, but yet not enough; the effort must be carried out, lest the memory of the great relief movement be marred through incompleteness of execution; and as a set off to the late unhappy divisions in the Commonwealth, let it be said that on one subject at least, a work of charity and brotherhood, the unanimity both of feeling and of action was complete.





THE RIOT AT SACRAMENTO CITY.

Those opposed eyes,  
Which,—like the meteors of a troubled heaven,  
All of one nature, of one substance bred,—  
Did lately meet in the intestine shock  
And furious close of civil butchery,  
Shall now, in mutual, well beseeching ranks,  
March all one way; and be no more opposed  
Against acquaintance, kindred, and allies.

1 HENRY IV., Act 1, Sc. 1.

So may it be in Sacramento city once again, and that without unnecessary delay. There is every hope, indeed, that it will be so, the excitement caused by the late affray having so completely passed by. Even upon the very scene of action, were it not for the anxiety felt for the recovery of Mayor Bigelow, regret for the unhappy fate of Sheriff McKinney, and the absence of the vanquished party from their usual haunts, there would be little to remind us of the event having ever taken place. The squatters, or settlers—to use a less invidious term, have not yet ventured to leave their refuge, or to put themselves into the power of the citizens; but the general inclination seems to be towards suffering angry feeling to subside, drawing a veil over the past, and inviting Harmony to follow at the heels of Peace. The Law must of course be vindicated, but it should be borne in mind that law may be harshly or leniently enforced, according to the spirit in which it is appealed to. *Summum jus, summa injuria.*

We have been at some pains to gather a correct account of the whole affair, having visited Sacramento city for that especial purpose, where we received the most courteous attention from the principal actors in the scene, who gave us every facility for acquiring the desired information, each of them having obliged us with a recital of what took place within his own particular sphere of observation. It is ne-

cessary, however, to observe, that it was with citizens alone, or "law and order people," as they phrase themselves, that we have been able to communicate, and are consequently able to give a one sided story only. One sided it may be fairly called; for although the accounts furnished by the one party be strictly accurate, even to the minutest details, much must remain to be told on the other side, at which it was of course impossible to arrive. As in the well known fable, this time the lion is not the painter.

It is unnecessary to dwell upon the cause of these civil broils, any further than to square in the relation of them, and to render it intelligible at a distance.—"Jas. McClatchy and Michael Moran"—we borrow the preliminary proceedings from a local journal—"were arrested the day previous and brought before Justice Fake, charged with being parties in contemplated attempt to resist the Sheriff should he enforce the law in accordance with a decision given by Judge Willis against the Squatters. The strength of the testimony was against the prisoners, and in default of bail of \$2,000 each, they were both conveyed to the prison ship."

Yesterday morning, a house in Second street having been seized by the Sheriff in accordance with the law, the Squatters assembled in armed force of about thirty, under a leader by the name of Maloney.—They proceeded to the house which was in possession of the authorities and retook it. Their leader then harangued them, and they proceeded down L street to the Levee. The party were armed with guns and pistols; their leader was upon horseback, armed with pistols and a sword. They marched along the Levee toward the prison ship, a crowd of citizens gradually collecting behind them. The report then spread, that their intention was to release the prisoners there confined.

The Mayor, who was upon horseback, issued his orders at Warbass's corner, calling upon the citizens to take up their arms for the defence of the laws of the city and of California. He then made the same

proclamation on the opposite corner, and subsequently farther up on J street, opposite the Southern Hotel. Numbers at each place rushed for their arms and began to assemble at the prison ship.

It seems, however, that the Squatters, when they reached the outlet of Sutter's Lake, just above I street, stopped and commenced removing lumber from a certain lot of land there. Soon, however, Maloney, their captain, addressed them briefly, stating that the lumber belonged to a friend, and that he would have it removed soon. This was satisfactory to them, and they marched in regular order, headed by their captain, with drawn sword, up I street. They were followed by a crowd of unarmed citizens, who were hooting and laughing at them.—When the crowd of citizens reached the corner of Second and I, one of their number stated that the Mayor was approaching, and that they had better await his orders. The crowd stopped, and the Squatters marched on, turned round into Third street and entered J. As the Mayor rode up to the citizens on the corner of I and Second, he was asked what his orders were. He promptly replied that he wished those men who were in arms against the authorities to be arrested. Three cheers were then given for the Mayor. Mr. Bigelow said that he would lead the party himself, and they immediately proceeded after the Squatters. The Squatters, meanwhile, had turned into J street, and were marching out.

The crowd pressed hard upon them. "Take the fellows arms from them," "Do not let them go," was being echoed along the street, when the Mayor rode up, meeting the citizens at the corner of the old Post-office. Calling a halt for a few moments, he addressed them, and engaged himself, if the citizens would follow, to disperse or capture the insurgents without resort to arms. Three cheers responded to the call; the Mayor clapped spurs to his horse, and dashed away at full speed in pursuit. The squatters, harassed and exasperated, were now fairly brought to bay. They faced about, and drew



up in double file, at the corner of Fourth street, inclining obliquely towards their pursuers, their left flank covered by Waters and Hollub's store. The Mayor and Sheriff rode up side by side to within about twenty paces; ordered them to lay down their arms, and to surrender themselves prisoners. "Shoot the Mayor," was the only answer to the summons. One man stepped forward from the extreme right, and fired, which was the signal for a volley. The Mayor attempted to draw a pistol from the holster, but being at the same moment wounded in the right hand, was obliged to change for the left. In the hurry of the moment, he pulled the trigger too hastily, and the ball entered the ground at his horse's feet. Although wounded in several places, he did not fall immediately. The horse swerved from the fire, and bolted several paces to the rear. The Mayor still kept his seat, but after a few moments, fell to the ground. He rose again, and walked a few steps; "Get your rifles, boys," said he; "you must defend yourselves; I can do no more," when he fell once more, but recovering himself, was enabled to walk unaided to the Columbia Hotel. One ball had glanced his cheek, another passed into his thigh, one struck him in the hand, and a fourth entered the abdomen.

We return again to the commencement of the affray. It should have been observed that the squatters, although few in number, were armed to the teeth—guns, pistols, and some few with knives. The citizens, on the contrary, were nearly all without weapons of any kind, excepting about ten, who had pistols or revolvers, and one, Recorder Washington, who bore a double barreled gun. Accordingly, when the squatters faced about, the greater number of the "law and order men" thought it more expedient to provide for their own safety, than to stand being fired at without chance of retaliation. Some few, nevertheless, manfully stood by the Sheriff and Mayor, and certainly showed a bull-dog courage that could hardly be surpassed. Mr. Harper, after the street had been almost cleared by the general *saucé qui peut*, found himself walking across the street alone directly in front of the insurgents, when a ball whizzing by his head determined him to proceed no farther, lest by so doing he should draw the fire of the whole company. Taking a quiet view of the line, and seeing that Dr. Robinson had marked him, he thought it high time to be drawing his own revolver. The Doctor fired first, hitting his antagonist in the left hand; Harper returned the fire, as he supposes, with effect. Robinson who was armed with a ten shooting rifle, let fly a second time; Harper was struck in the breast, but returned the fire, wounding the Doctor's right-hand man, who fell in his tracks. He then fired a third time without effect, after which his pistol snapped repeatedly, and while examining the caps, with his left side to the enemy, he was again wounded, in the other hand. Being now completely disabled, and all his shots exhausted, he hurled his pistol at the squatters, crossed his arms upon his breast, told them that he was now unarmed, but that they might fire and be damned. To the first portion of his suggestion, they gave a practical answer in the form of some six or eight shots, which struck the house of a man named Rogers, wounding his daughter, a child, in the leg, but all missing the object at which they were aimed. By this time, feeling faint with his wounds, Harper had made up his mind to retire, but first went forward into the melee, to look for the pistol which he had thrown, because it did not belong to him. His search was fruitless, and he was carried away by his friends to the Humboldt.

Capt. Woodland, the city assessor, paid a dearer forfeit for his share in the affray. He left his own house with Dr. Briarly, who had that very morning attended Mrs. Woodland in her confinement, to go to dinner, the lady laying many injunctions on the Doctor to bring back her husband without delay. On their way, and much to their surprise, they saw a body of armed men marching up the street, and followed accordingly as far as Waters' store. When the squatters came to a halt, Capt. Woodland went forward, and stood upon the causeway; Dr. Briarly remaining in the middle of the street. At the very first fire, the assessor fell. While the firing was brisk, Dr. Briarly was too actively engaged to give attention to his friend, but so soon as it slackened a little, he ran to his assistance. As he drew near the

corner, a man named Caulfield suddenly bounded round it, pistol in hand, and took a snap shot; the Doctor returned the fire as he retreated, equally without effect. He then stooped over the body, to ascertain whether life was extinct, when Caulfield again came round, and fired within two paces, the ball passing between Dr. Briarly and Capt. Woodland's head. On a post mortem examination, it appeared that the latter had been struck by two balls, one in the side, the other in the small of the back, touching the spine. He never spoke again, but died in about three minutes.

After the first volley, in which the Mayor was wounded, Sheriff McKinney, who had escaped unscathed, put spurs to his horse, and charged right in among the adverse band. Some of the squatters stood their ground, still maintaining a brisk fire with the citizens, but the greater number broke and dispersed. Maloney galloped past and headed them in K street, using every effort to rally them, but without success. When he perceived that exhortations were only thrown away, he rode back deliberately into Fourth street, which was by this time in possession of the citizens. Our fixed belief is this, that Maloney came back to die. He had already said, while marching at the head of his troop on the levee,—"This sword shall never be sheathed until we obtain our rights;" and he did not go back from his word. Recorder Washington had covered him, and was about to pull the trigger, when Dr. White fired, hitting Maloney's horse in the neck, and cutting the carotid artery. The horse dropped upon its knees, and the rider fell over its head; the Recorder reserved his fire, supposing him to have been killed. Maloney rose, and rushed forward, but was met by Mr. Eyre, who snapped a pistol at him. The rebel leader attacked his adversary, sword in hand, who dodged the blow, with great activity. A second blow was aimed, but weakly, as if the striker had been hit, and Maloney then made for the shelter of a neighboring alley, with some twenty muskets levelled at him—for by this time the citizens had armed themselves—amidst cries of "Take that captain, dead or alive; shoot him down." Recorder Washington, whose gun was loaded with buck shot, eight in each barrel, fired after him. The first shot did not arrest his retreat; the Recorder followed him up, fired the second barrel, and brought him to the ground. He had been shot in the back, the arm, and through the head; his cap, which is still preserved, was pierced with five holes. Thus fell a fine stout-hearted fellow, by an untimely death. That he deserved his fate, is not to be denied; no provocation, no injustice, if such there were, would justify him in the course by which he sought a remedy; yet there is something in the sight of high animal courage, struggling in vain against odds, which enlists our sympathies, and almost commands our regret.

An episode, of less tragic nature, was enacting meanwhile behind Major Ormsby's house, which is on a corner allotment, bounded by Fourth street and the alley by which some of the Squatters were endeavoring to make their escape. The Major ran back through his own house, expecting to head them, and came across one Parker, from Ohio, who was quietly reloading. Although unarmed, he grappled him, and secured the gun, the butt end of which he converted into a weapon of offence. The Squatter fought desperately for several minutes, making many ineffectual attempts to draw a sword which was hanging at his side; but finding himself over-mastered, surrendered prisoner of war, and was carried into the Major's house where he was fast secured.

After the death of their leader, the insurgents disappeared entirely; although reports of their having rallied and being about to re-enter the town were current more than once during the remainder of the day, each time creating a very marked sensation. Of their subsequent proceedings, we say nothing for the present, as they may possibly form the subject of an illustration in our second number, when it will be time enough to record them.

On the Squatter side, two fell besides Maloney.—One, a man named Jesse Morgan, who kept the Oak Grove House, killed by a shot through the neck. He had arrived but recently, bringing with him a wife and child. The name of the other we have not been able to procure. Dr. Charles Robinson, of Fitchburg, Mass., was wounded, and taken prisoner.

Four, it seems, were killed, and five wounded, more or less dangerously, in this affray. Of the former, three were Squatters, and one was of the citizen party. Of the latter, four were citizens, and one a Squatter. We regret to state that Mayor Bigelow is still in a very precarious situation.

The number of those who stood to their arms, was small on either side; but those who did fight, went to work with a determination that we have rarely known surpassed. Sheriff McKinney showed himself through the whole engagement every inch a man. One of the insurgents fired six balls at him from a revolver, but the object of their aim was destined for a later death. Let us add the names of Washington Montgomery, Gillespie, Mason, Rush, and Dr. Pearis, to those whom we have mentioned as actually engaged.

Of the conduct of the Municipal authorities, we are enabled to speak in terms of unqualified praise. The prudence, forbearance and energy which marked their action in the critical juncture through which they have just passed, may be a source of just gratulation to our sister city.

Since the disability of the Mayor, the duties of his office have devolved upon Demas Strong, Esq., President of the City Council. They have been both arduous and responsible to an unusual degree, and he has discharged them with an ability and decision which has deservedly received the unanimous approbation of his fellow citizens.

The loss that society has sustained in the victims of this affray is heavy enough, but there is more to be regretted than even that. Unfortunately, the mischief caused by such an outbreak does not cease with the restoration of peace. It is a precedent for an appeal to physical force upon every grievance, real or imaginary; it engenders the *habits* of considering the rifle the chief arbiter between man and man. "Men's thoughts," says Bacon, "are according to their inclinations; their speech according to their reading and infused opinions; but *their deeds are after as they have been accustomed.*" The tone and character of this young community, whether for good or for evil, has yet to be confirmed; but "if they do these things in the green tree, what will they do in the dry?" Time has been, among the fiery Highland chiefs, when the bottoms of the quaighs were made of glass, that he who drank might keep an eye upon the "dirk hand" of his neighbor; and it might still come to this, in California, if the *habit* of looking lightly upon the laws be once suffered to creep in.

We offer our thanks to Mr. Johnson, the clever Daguerrean artist, for his courtesy in volunteering to further the purpose of our visit to Sacramento city, by furnishing our engraver with views of the locality where the battle scene was enacted, which he took unweariedly, one after another, from different places of observation, in order that the most advantageous points of view might be decided on by actual comparison.

We cast a curious eye upon Mr. Johnson's finished performances, having known this delicate art from its infancy, in the Old world as well as in the New; and having followed its progress from the first imperfect efforts of Daguerre and Talbot, down to the latest refinements in its practice, can venture to affirm that these may challenge comparison, for clearness and graceful disposition of the figures, with any that we have seen.

We have much pleasure in bearing testimony to the merits of a very deserving artist, which he may rest assured would never have been rendered, had it not been in perfect consonance with our own unbiassed judgment in the matter.

**SHERIFFALTY OF SACRAMENTO.**—The election to fill the vacancy in the office of Sheriff of Sacramento county, occasioned by the death of Mr. McKinney, will be held on the 2d September, and already we find the names of twelve gentlemen announced as candidates for the vacant office.



LET us here take occasion to say a few words concerning the management of the *Illustrated California News*, and the chances of being able to render it an addition of some real value to the periodical literature of this country.

Our subscribers are requested to consider this first number as an almost unpremeditated effort, in earnest only of what it is intended to become, and of what we are fully confident that we shall be presently able to effect. For the plan of it was both conceived and executed within a few days. It was agreed to by the projectors on the 22d of August, and it was at the same time determined, that, by way of keeping pace with the times, and exemplifying Californian rapidity of action, which, to the eye of a stranger, conveys the impression of legerdemain rather than of actual performance, it should be ready, in spite of every obstacle, by this 1st day of September, for the steamer to Panama. That no real occasion existed for such rail-way speed, must be confessed; not being hurried by the terrors of rivalry in this peculiar field, another fortnight's preparation might have been easily allowed; the undertaking was in fact a mere trial of strength, *un tour de force*, something resembling that well known match against time, in which the sheep was sheared, the wool was woven, the cloth made up, and the coat on the better's back, all within a limited number of hours. By dint of adding night work to day, the feat has been accomplished; while we flatter ourselves that no signs of haste, on the part of the artist, will be detected by the most practised eye.

It is intended to give priority of illustration to scenes in the more immediate vicinity of San Francisco, the metropolitan town *de facto*; gradually extending the range, in concentric circles, until the scenery of the remotest diggings shall have been depicted. With regard to those out-posts of colonization, we had anticipated some difficulty, expecting to find Californian adventurers more conversant with the use of the pick and rocker than of the pencil, and having somewhat hastily taken for granted that, for original drawings, our engraver would have to depend entirely upon himself. We were, however, undeceived on that point, and agreeably surprised to find so much talent at our disposal. Let us mention that, among other works of art, we have been especially pleased with some very spirited and characteristic sketches in the studio of Mr. MARTIN, at Sacramento city, one of which, "A Miner prospecting," we shall request permission to re-produce in these columns.

The Editorial department, owing to the shortness of notice, has labored, as yet, under some disadvantage, but it is trusted that the coming number will atone in some measure for the deficiencies of the present. A corps of correspondents has been organized, from some of whom information of the most interesting nature may be expected; but as the promised communications have yet to be received, we are thrown, for the moment, entirely upon our own resources.

As this periodical must take class among the steamer papers, a concise abstract of the semi-monthly news will be brought up to the date of its publication, a portion of our columns which will offer but little attraction to home subscribers, but without which the circle of information which they are intended to comprise would be incomplete. It must be remembered that we have a double object in view; not only to contribute to the amusement of residents, but to offer a true and perfect picture of the country, which may be forwarded to absent friends.

In order to enable those subscribers who are not denizens of San Francisco, to post the *Illustrated California News* for the States immediately after having perused it themselves, we shall publish, for the future, not on the day of the steamer's departure, but three days earlier, which will bring back the date of our second issue from the 15th to the 12th of this month.

#### Speculative Excitements.

Since the discovery of the mines contiguous to the Bays of Humboldt and Trinidad, and the determination of land speculators to the various settlements that were so rapidly projected in those harbors, a general tranquility has prevailed among that usually restless class to whose efforts so many strange infatuations owe their origin, and the temporary importance which they have at times maintained. A new fever, however, seems to have broken out in our community within the last few days, springing up so spontaneously that we have failed in tracing it to the usual source of similar infections.

The departure of the splendid steamer *Northener* on the evening of 31st August, marks the first definite epoch in the history of this movement, which promises to be of more magnitude than any of its predecessors. It appears that about fifty passengers by this vessel were attracted by the lately developed importance of the port of Realejo, which is concluded to be the terminus on the Pacific side of the Nicaragua route, one party of four or five having taken the sum of \$100,000 for operations in that quarter; and our information leads us to believe that this is but a small proportion of the capital which will be brought to operate upon the new locality. The attention of the public on the Atlantic side seems to be turned in this direction, and the two interests will probably be together in the field. The rapid accumulation of steamers upon the Pacific coast will cause the most speedy development of the new enterprise when its merits are thoroughly ascertained. The Republic leaves on the first September, stopping at the same port, and the Equador sails on the 8th inst., making a landing there also.

It had been our intention to have given a portrait of Mayor Bigelow, who played so prominent a part in the Sacramento city disturbances. A daguerreotype likeness had been promised, which was to be taken as soon as his health would allow of the interruption. We have therefore doubly to regret its non-arrival, being obliged in consequence to infer that his state is more precarious than had been supposed when the application was made.

#### PROSPECTS OF THE ADMISSION OF CALIFORNIA.

A gentleman in this city received a letter from a friend in Washington by the last mail, which casts a gloom to the hopes of California. The writer says, that the Compromise bill will not be passed, nor will California be admitted very soon at this session of Congress. He thinks the bill for a mint in San Francisco may pass the House, and that will be the only legislation for California before another year. The author of the letter containing the above opinions, had the best opportunity of judging correctly; and could we use his name, his predictions would certainly be received with much consideration. We are not yet ready to give up all hope of being admitted this session. The news by every steamer looks more and more inauspicious, and the time for hope is already almost past. Still we will trust to the justice of our country, and never despair till we are cast off beyond a doubt.

RESIGNATION.—Attorney General Kewen's resignation has been accepted by the Governor, to take place on the election of a successor in October next. He will therefore continue to exercise the duties of his office, during the trial of the prisoners arrested for participating in the late riots.

Some idea of the communication between New York and San Francisco, may be formed from the fact that the postage collected at New York, on mails sent to and received from San Francisco, via Chagres, during the period commencing in December, 1848, and ending in March, 1850, amounted to \$139,379 12.

THE GOLDEN GATES! if we may put faith in Geology, opened by Nature but a short while previously to the first exploration of the Western Coast, as if to invite appropriation of treasures to be had for the gathering within; and then, as though she repented of her generosity, veiled from sight during the greater portion of the year by dense fogs, a source of much vexation and delay to the impatient Mariner. But the curtain seems to rise when within a short distance of the coast; his vessel glides forth from the mist, and the long expected heads are presented to the view, bleak and dreary enough outside, giving little promise of the fertile country that lies behind.

It is a grand scene after a favorable slant of wind. Wealth pouring in towards greater wealth, by what may be called attraction of reciprocity:—

Quis pauper scribitur heres?

vessels laden with the produce of every clime, sometimes numbering fifty or more in a single day, all bound alike upon a gambling venture, the consigners having shipped whatever they could lay hands upon, in perfect ignorance of the requirements of the country, or of any thing appertaining to the country, save only that there is gold in plenty, for those who can get it. Some laden down to the very bulwarks; others, looming large, high out of the water, as if in ballast, their stores, which constituted the greater portion of the burden when leaving port, having been consumed by the living cargoes which crowd their decks. The most wonderful and varied assortment, perhaps, that was ever before raked together from the corners of the earth. In they pour, a resistless tide; some led on by an unquiet spirit, and a love of adventure,

All the unsettled spirits of the land,  
Rash, inconsiderate, fiery, volunteers,  
Have sold their fortunes at their native homes,  
Bearing their birth-rights proudly on their backs,  
To make a trial of new fortunes here;

some, already well enough to do in the world, migrating, they hardly know why, but following, like sheep through the same gap in the hedge, because every one is away for California; while over many are such as Falstaff would have been ashamed to march through Coventry with, "discarded unjust serving men, younger sons to younger brothers, revolted tapsters, and ostlers trade-fallen, the cankers of a calm world and a long peace:" all having sacrificed home and country to the lust of lucre, save only the American, who boasts of having completed possibly a five months' voyage, and of still being able to set foot upon his own domain.

The bar is crossed; a heavy toll is levied under the specious name of pilotage, the foretaste of heavier exactions to come.

The Fort, los Angeles, los Alcatrazas, Yerba Buena, successively open into view, and then appears such a forest of masts as not ten other ports in the world can shew. A glorious sight, to all but the master of the ship, whose professional eye perceives with a glance that this mighty fleet is by no means indicative of a corresponding trade, here and away again in obedience to the legitimate calls of commerce, but an accumulation of ancient date, still gathering like drift wood at the mouth of a river, floating idly on the water. Some contrive, by dint of enormous outlay, to effect an escape; but by far the greater number are doomed to lie in idleness for some indefinite time, possibly till they fall to pieces with age. For the port is, in truth, a gigantic ship trap; the Golden Gates, so easy of entry, seeming to close behind the unsuspecting vessel so soon as she shall have passed between. On them might fairly be inscribed the words which Plautus wrote for the portal of an edifice dedicated to Paphian Venus, at Rome:—

Pandite, atque aperite propere janua hanc Orci.  
Nam equidem haud aliter esse duco; quippe quo nemo advenit  
Nisi quem spes reliquit omnes.

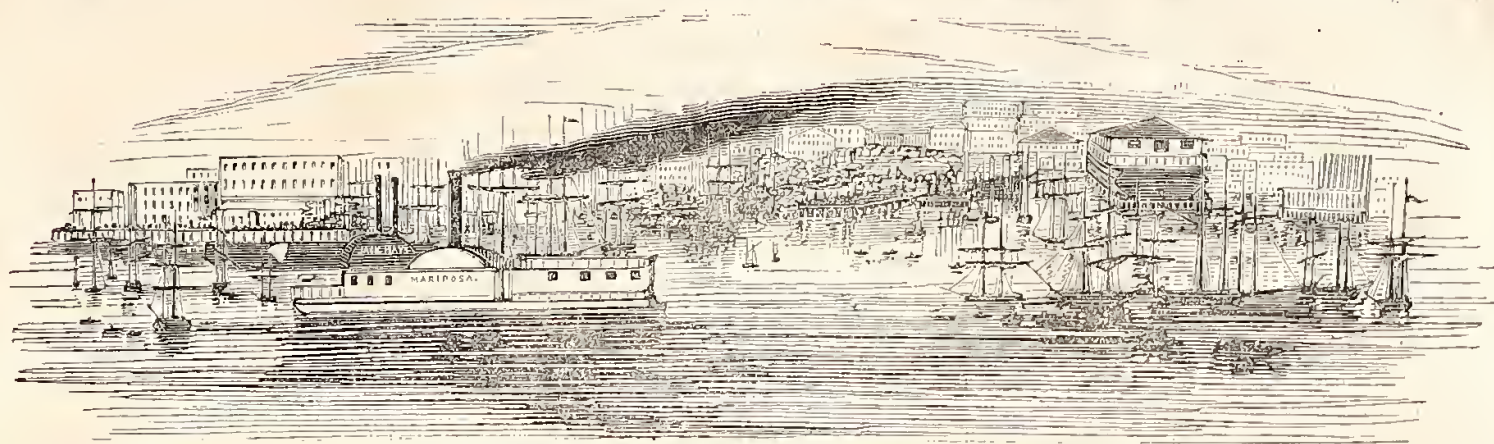




THE GOLDEN GATES.



# THE ILLUSTRATED CALIFORNIA NEWS



VOL. I.

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No. 2.

## THE ILLUSTRATED CALIFORNIA NEWS,

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### Quid sit futurum cras, fuge quaerere.

Let him who regards his reputation for foresight refrain from hazarding over-many prophecies. By dint of saying little and looking wise, he may chance to gain credit for infallibility, like your never-miss gentlemen in shooting—slow, poking, single barrel sportsmen, whom General Hawker quizzes so unmercifully in his famous book, averring that they make their reputations only by carefully picking their shots.

It is the safer game to play; and yet the future prospects of California are a tempting subject to indulge in. But the remarkable discrepancy of opinion among the daily press, all maintained with talent, and all with confidence, go far in deterring from the hazardous attempt. Let us therefore be content with chalking the outline of those questions which appear to hear most strongly on the subject, barely touching them for the present, but reserving the intention of endeavoring to develop them *seriatim* at a future time.

The four main subjects of consideration in attempting to cast a forward view—always saving and excepting the grand one, of admission into the Union—would seem to be these: whether a crisis is to be expected; whether the diggings are likely to "give out;" whether a reasonable hope of success

may be expected in agricultural pursuits; and finally, the social state of this incongruously peopled country,—the tendency of its society towards better, or towards worse.

Is the career of this young State to be one of unbroken prosperity? Is the unparalleled rate at which she has hitherto moved on, to be still maintained? We cannot bring ourselves to think it; for not only observation of passing events, but the uniform experience of history prepares us to expect a reaction, naturally consequent upon the feverous excitement in which she has been reared throughout. Nations, like men, have their climacteric periods—epochs of transition, when the constitution seems to undergo a change, not unattended with danger until complete. Every thing points to it; signs and tokens have been already shewn, warning us to prepare, like the ant, for the winter; the "little cloud, like a man's hand," has arisen from the sea, bidding the wary mariner prepare for the expected gale.

Even setting aside the depression that is so universally felt, or the financial excitement of last week, which may yet prove to have been only of a temporary nature, it needs but little discernment to perceive that one great source of Californian abundance is dried up. The reckless system which heretofore prevailed among speculators abroad, throwing in cargo after cargo to be sacrificed, may be considered as on the verge of extinction, and the country, which up to this period has thriven, not so much upon her own mineral wealth, as upon the losses of consignors, will be now obliged to rely, for the first time, exclusively on her own resources. But though imports be checked, immigration will still

continue. It is labor thrown away to lift up a warning voice—to assure the hordes who are preparing themselves to pour in upon us that the majority of diggers extract little more than a bare living from the earth; it is acknowledged on all hands that fortunes are realized from time to time, and where there are prizes to be drawn men will not be deterred from putting in. Each successive troop will find its means of subsistence more and more precarious, and what the surplus population may be eventually driven to, is startling to contemplate.

The exhaustion of the mines is another vital question, upon which opposite opinions are keenly maintained by those whose experience should have rendered them well qualified to judge. Our own impression is, that they will, before long, cease yielding a profitable return to individual enterprise; that the banks of the rivers are nearly exhausted, and that the quantity of gold taken out, though actually much more in amount, is very much less, proportionately to the number of seekers, than it was last year. The sooner, indeed, that it becomes clearly a profitless employment to individuals, the better; for it is the great lottery of the mines, enriching one in a thousand, and yielding but a starvation pittance to the great majority, that unsettles the minds of men, and unfits them for any regular pursuit. Nor need it be apprehended that the staple export of the country, bullion, will fail in consequence; we believe the mineral resources of this country to be inexhaustible, and that systematic operations, aided by machinery and capital, will be successfully prosecuted for years to come.

The social question is one of more importance



still. It is yet a problem, what character the loose and reckless elements of Californian society will ultimately assume; whether they will amalgamate, settling down into quiet and repose, or whether, like a widening rent, they will become more and more discordant. It is useless to disguise the danger from ourselves; there are those amongst us, far too many in number, who will not starve, so long as they can rob; and the everlasting feud, between those who have property, and those who have none, may yet chance to break out into declared and open warfare.

It is upon the education of the youthful State that its ultimate tendencies must depend. A greater responsibility rests upon the executive than they may have accustomed themselves to suppose. The effects of their present conduct, of their guidance of the community entrusted to their charge, will be felt for years to come. Its future character is now to be determined, for good or for ill, like a rock on the top of a hill, which may be rolled down with ease on either side, but when once dislodged cannot be arrested in its course. It is not legislation that is wanted here, but administration; laws there are in plenty, were they only carried out with effect. Let the example of probity, disinterestedness, and impartial justice be held out as a beacon by the higher authorities;—let the habitual wearing of arms be as far as possible discountenanced;—let the decent observance of the Sunday, one of the most powerful levers that can be brought to bear upon society, be provided for, and opportunities of encouraging agriculture, the future mainstay of a country whose capabilities in that department have been greatly underrated, be assiduously sought out.

Upon the whole, we feel inclined to side with the optimists, believing that a brilliant future is reserved eventually for this nascent State. Our hopes are based upon the strong good sense of the genuine American denizens—the only portion of the population that can be considered as settlers, or who look to California as a home; and upon the expected influx of families from the States, (the want of which has been at once the fault of this country, and its misfortune,) whose presence may tend to humanise the swarms of wild adventurers that have come here professedly to "make a pile, then to turn their backs on California, and leave her, an unsettled, outlandish wilderness, as they found her."

Still we cannot help looking forward with apprehension to the intervening crisis, which may now be considered as over-close at hand to be averted. But there is balm in Gilead; for there are those who maintain that the disaster, if it must arrive, will yet be ultimately productive of good, as hurricanes in the West India Islands are observed to be succeeded by unusually fertile years.

"He is terribly agitated," says Mrs. Wrangle, in Cumberland's play of *First Love*. "Not a whit more than will do him good," responds the Lady Ruby; "let us hope that his fermentation will refine him."

**AN ENGLISHMAN'S PROFITS.**—A gentleman connected with the Bank of England, thinking to make a speculation out of California, sent us an invoice of brandy, consisting of seven pipes, and he publishes a statement of his investment and profits. He has received in return an account of sales, showing that he is entitled, as the gross proceeds, to one dollar and fifty cents. The brandy sold, according to this account, for \$530. The charges amounted to \$523 50, including \$329 50 for duty, at the alleged rate of one hundred per cent. This is hardly what Johnny Bull could have anticipated, and will probably deter him from engaging in any more California speculations.—*Pacific News.*

#### The Athenæum.

I've seen much finer women, ripe and real,  
Than all the nonsense of your beau ideal.  
BYRON.

DR. COLLYER appears to be of one opinion with the noble bard, in supposing that Titian and Correggio can be improved upon; and certainly, if full houses are to be taken as proof of success, he has accomplished the feat, for greater crowds are congregated to see the breathing copies, the *tableaux vivans* which he presents to the over-inquisitive eye, than we ever saw collected before the less material representations of the originals.

We were somewhat curious to see these "model artists," as he calls them, and to judge for ourselves, on account of the remarkable discrepancy between the impressions which are professed to be conveyed, and those with which the spectators actually return from the exhibition.

The professor claims to take exalted ground in justification of what some persons are matter of fact enough to call an indecorous spectacle; he calls in high flown terms of art to the rescue when attacked, and assumes that the "classicality" of his representations suffices to render them correct and proper. Now we are the last to find fault with any thing coming under shelter of that term. Nurtured in the deepest devotion to those glorious monuments of by-gone ages, which commemorate a civilization different in character from our own, inferior upon the whole, yet going far beyond us in taste, and a keen perception of the beautiful—all our pleasures, even our prejudices, turn in that direction. Yet we must confess to having been startled by what we saw, although previously well prepared for it, and long since conversant with the originals which the model artists profess to reproduce. The fact is, that a very different impression is made upon the senses by the living impersonation of those beautiful groups, than by the cold marble, or flat-surfaced pictures through which the conceptions of the sculptor and painter are presented to the eye. And objects which we should not have the slightest hesitation in representing among our own illustrations,—inasmuch as that such would be an actual retransformation of them to a harmless shape, a mere copying, through one remove, of the original works of art—may therefore affect with the strongest sense of impropriety, when the conviction of their being real flesh and blood is forced upon us.

Let it not be supposed that we uphold that morbid sensitiveness, or affectation of delicacy, which so remarkably characterises the present age. We are no advocates for putting trousers on the legs of piano-fortes, neither do we admire the manufacturing of new names for plain things, when the old ones will serve as well. Sam Slick, the Clockmaker, never spoke more shrewdly than when he made the following remark: "Delicacy I like, for it is a manly virtue; modesty I like, for it is a feminine virtue; but as for squeamishness, it fairly makes me sick." But we do believe, with regard to the exhibition in question, that the other extreme has been fallen into.

It should be observed, that the use of the words "classical" or "artistic"—fair sounding terms enough to the ear—does not in reality cover the whole of the question. It by no means follows, because the ancients have shown themselves our superiors in fine taste and chasteness of conception, that whatever is classical must be therefore pure. If we have gazed by the hour upon the Venus of the Uffizj, so modest and retiring that drapery would seem a superfluous incumbrance, we have likewise turned away from the equally classical Pasiphaë of the Campidoglio,

or from Hermaphroditus in the Louvre. From the Medicean Venus to the Venus of Titian, it is one step downwards in impurity, and many more in the same direction from the Titian to the Collyer Venus, although the classicality of the latter is not to be impugned. Neither will the term "artistic" stand the Doctor in better stead. It is quite a mistake to suppose that a love of plastic perfection is not sensual. Its very source is of that character, and artists will always be found to partake largely, unless gifted with the supersensuous spirit, of the feelings of Rubens, Titian, Vandyke, and Raffaele. Even while allowing the Doctor to do battle on his own ground, his arguments, though specious, can be proved untenable.

But there is another way of viewing the question, which looks it much more fairly in the face. In what does Dr. Collyer suppose the real allurements of his exhibition to consist? What does John Chinaman come to see? Will it be maintained, in sober truth, that it is merely a refined and æsthetic perception of art which draws the strings of his thrifty purse? Surely not: he comes to gaze on so many women, closely cased in flesh-colored silk. But there is drapery to boot. So there is; transparent gauze, so disposed, that, if possible, it only makes the matter worse. It calls to mind the indignant exclamation of Juvenal, when inveighing against the speciously dissembled corruptions of a classic age:

*Acet et indomitus libertatisque magister,  
Cretice, perluces.*

Classic representations! Model artists! The wordy disguise is as flimsy as the drapery of the Doctor's nymphs.

As regards the exhibition itself, taken apart from the considerations that have here been urged, we freely acknowledge that it is well got up. On the evening of our attendance, Hildebrandt's Lute-player, Apollo and Daphne—one of the fabulous mythological stories, as the spectators were informed—and Titian's Ariadne at Naxos, were tastefully represented. Albano's Venus and Adonis—the Venus in reality "callipyge," like her of the Museo Borbonico, at Naples—was encored. Raffaele's Bacchus and Ariadne, was strikingly beautiful. The original was stated to be in "the gallery" at Venice, a gallery of whose existence we were previously unaware. The picture is probably to be found in one of the saloons of the numerous palazzi. Neptune taking Amphitrité to wife, was almost equally to be admired, the male figure—who represents the Neptune or Jupiter much better than the Apollo, for which he is over-muscular, and deficient in gracefulness of outline—being most effectively disposed. A scene was given from the Sylphide, indifferent enough, but the artists made the most of it. Albano's Diana and Actæon, followed by Psyche before the tribunal of Jupiter, were interesting, with the exception of Minerva in the celestial conclave, who looked a dowdy. Unfortunately for the effect of our previous remarks, she had more drapery upon her than all the rest of the divinities together, but it was of an ungraceful style. The helmet, buckler, and night-gown, seemed strange associates. For that, however, neither the Doctor or the model are responsible, but the painter. The exhibition was wound up, in compliance with numerous calls from the spectators, by "The Greek Slave," our unmixed admiration of which we cannot refrain from expressing, though apparently so inconsistent with the condemnatory observations which we have thought ourselves bound in duty to make.

Let it not be thought that we are disposed towards



severity in criticism, which is in reality the only irksome portion of our office; we would sooner at any time write twenty lines of praise, than one of blame, but feel that it would have compromised our position to have passed over an exhibition of so marked character without a word of remonstrance. Much less do we ask for any official interference, on the score of public morals; the censors office, of no great efficiency at the best, even when filled by a Cato, is long since extinct. The remedy is easy, and lies preferably in the Doctor's own hands. A simple variation in the choice of subjects is enough. There is beauty in the folds of drapery, as well as in the nude, to those who attend for the sake of art. But we fear very much, that as the exhibition becomes stale—as the interest at present taken in it begins to flag, that the real allurements will be heightened even more, to fill the thinning benches once again.

We sincerely hope that these remarks will be taken in good part. They are prompted by no captious spirit; much less by any desire to injure Dr. Collyer's pecuniary prospects. Indeed we shrewdly suspect that their effect will be to increase, rather than to diminish, the attendance at his saloon, on which account we are doubly anxious that the proposed amendment should be carried into effect, lest we should ourselves stand in the position of accomplices against our will.

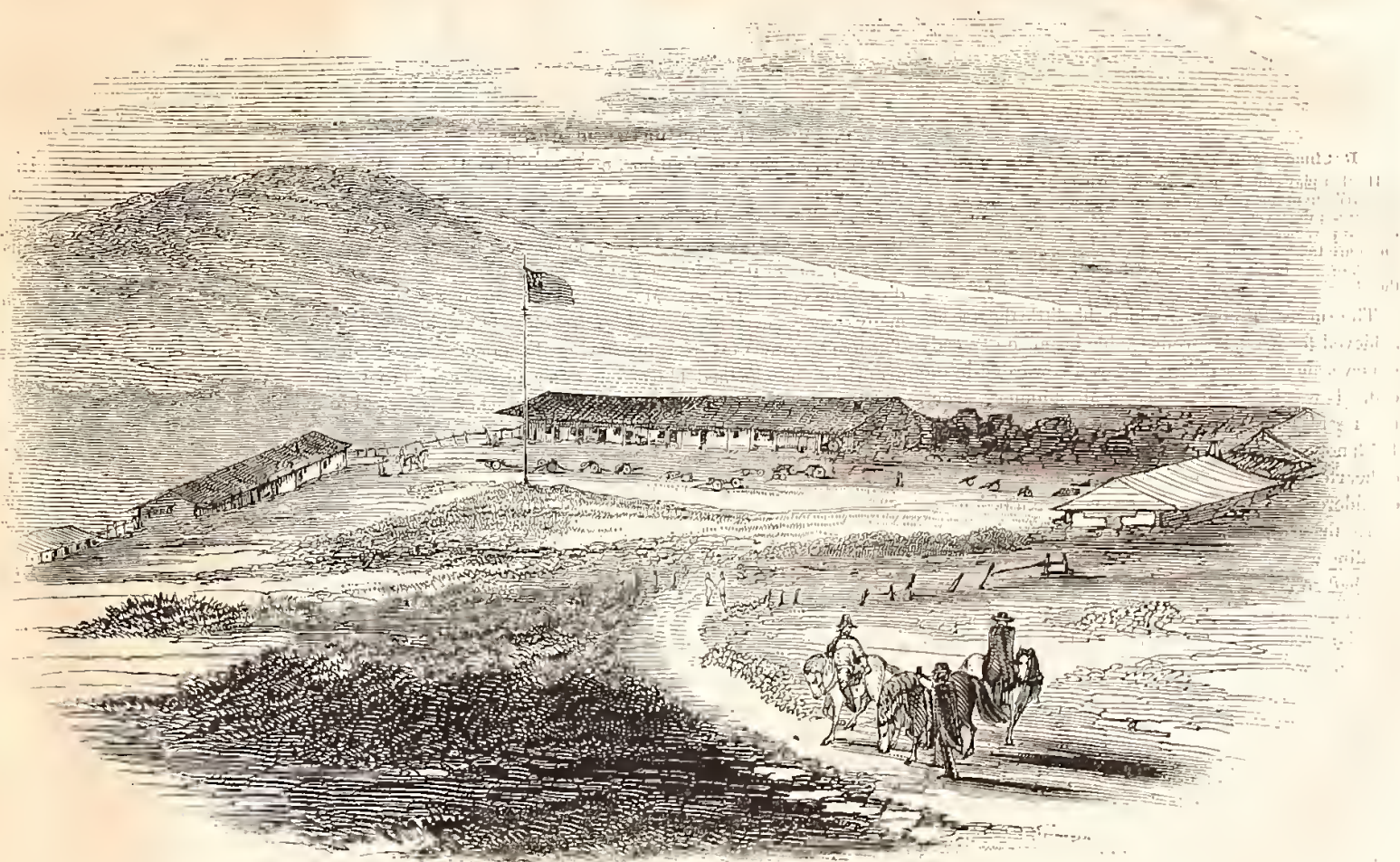
**MUSIC IN CALIFORNIA.**—There is perhaps nothing more surprising to strangers landing for the first time in San Francisco, than the attraction which music seems to have for all classes in the community. Where he expected to hear nothing but the clinking of dollars and doubloons, strains of harmony meet his ear on every side, from the theatre, the gambling houses, the different exhibitions, from public meetings or processions, from wherever an excuse can be made to bring them in. Some of our music is rude enough, but even that goes far towards indicating the prevalence of the taste; whilst many of the performances, as might be expected in such a motley congregation from all quarters of the world, are entitled to rank far above mediocrity in their art. In Sacramento city the love of music seems to have taken deeper root than even here; so much so that it might presently even come to summoning bidders toward the sale rooms of a morning, no longer by bell and crier, but the sound of psaltery, sacbut, and dulcimer. Who shall say what may be the ultimate influence of this most refined and delicate of all the arts, in subduing the rough asperity of manner which must be expected to prevail in a society constituted as this has been. It is only of late years that the national influence of art has begun to be appreciated as it deserves.

Whilst upon the subject, let us inquire how it is

that Dr. Collyer mars the effect of his exhibition by the execrable music with which it is accompanied? Has he yet to learn that there is a connection of the fine arts, as well as of the physical sciences; that kindred associations pervade them all, and that when one of the senses is offended, the rest are in no mood to derive gratification, no matter how craftily they may be catered for. Better do without the disagreeable adjunct altogether, if a more efficient orchestra cannot be secured. Surely the material cannot be wanting in San Francisco.

**NICARAGUA ROUTE.**—We see by a correspondent of the New York Herald, that the arrangements for transporting freight and passengers on this route are nearly complete. The steamboat Nicaragua, now at Chagres, is to be put on the Nicaragua lake. This being done, the route for transportation of passengers and freight, from ocean to ocean, a distance of 140 miles, will be complete, and all by steam, except 15 miles land carriage, over an easy and comfortable road, which will be accomplished in twenty hours and less, and through a perfectly healthy country.—*Courier.*

**RACE COURSE.**—The fence and other necessary fixtures for the completion of the Race Course at Brighton, are rapidly being finished. The course is laid out just back of the Pavilion, and is being arranged in an extensive and liberal style, which does credit to the proprietors. It will probably be finished in the course of a week.—*Sac. Transcript.*

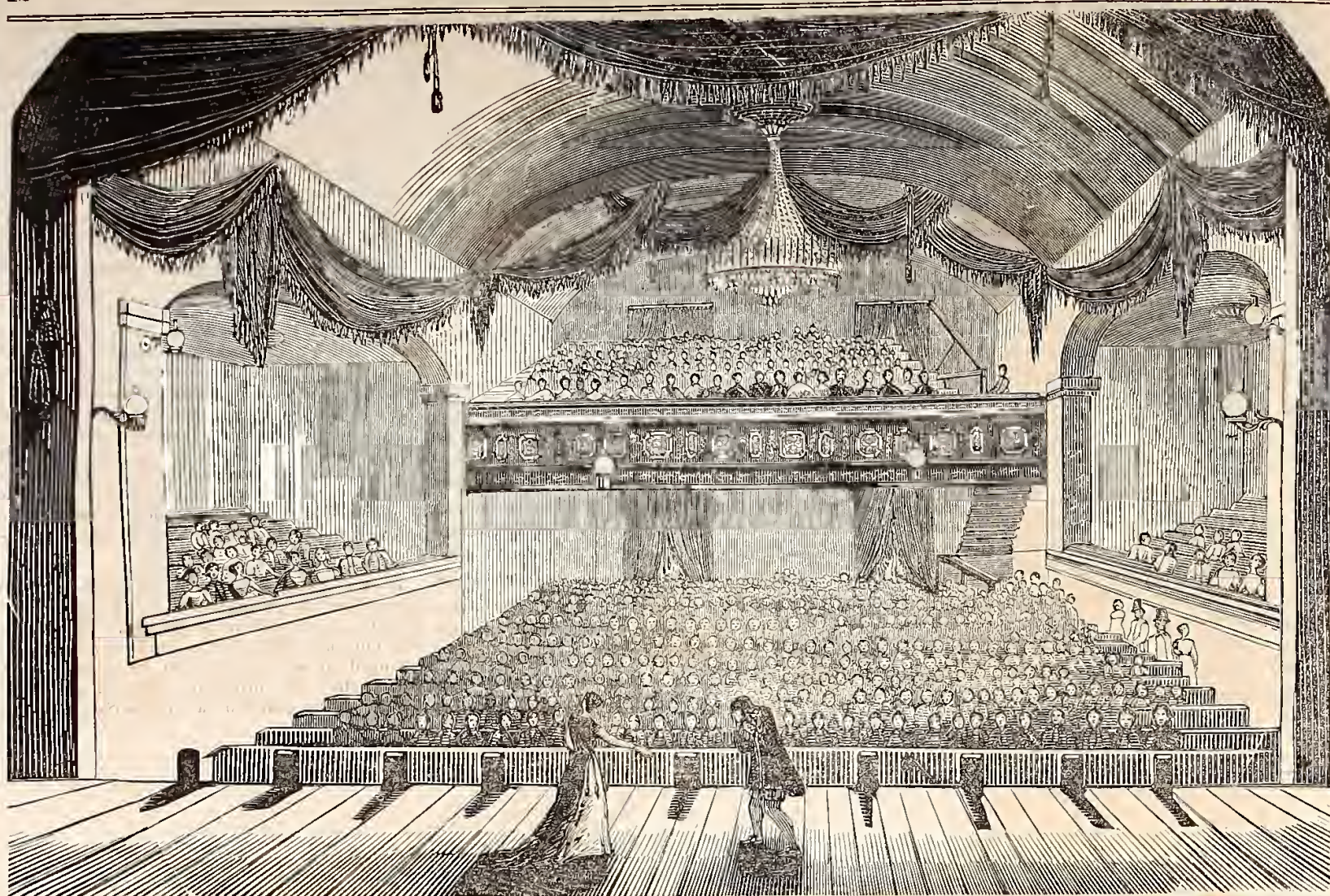


THE PRESIDIO.

**THE PRESIDIO** is situate about three miles from the city of San Francisco, one mile and three quarters from Point Lobez, nearly opposite the harbor of Saucelito. It was the ancient seat of government—the Capitol of the place, and the residence of the governor, on which account it was the focus towards which all revolutionary movements were

directed. All vessels passing beneath were required to bring-to. It consists of two adobe buildings, in rather a ruinous condition, the one thinly tenanted by soldiers, the other by officers. It should be observed that the Presidio is not built upon the site of the original fort, the building of which was temporary with that of the Mission, but occupies a neighboring hill. position much more advantageous in a military point of view. The platform of the old fort, together with a few dismounted and honey-combed guns, may still be seen, a little farther down. It was well placed enough for commanding the harbor, but indefensible against a land force, being itself commanded by a





INTERIOR VIEW OF DRAMATIC MUSEUM.

Thomas Armstrong, sculp.

**Robinson and Evrard's Dramatic Museum.**

He that plays the king shall be welcome; His majesty shall have tribute of me; the adventurous knight shall use his foil and target; the lover shall not sigh gratis; the humorous man shall end his part in peace; the clown shall make those laugh whose lungs are tickled o' the sere; and the lady shall say her mind freely, or the blank verse shall halt for't.—What players are they?  
HAMLET.

The successful position which this little theatre has achieved for itself, is a remarkable instance of steady perseverance under difficulties, well rewarded in the end. It was first commenced in Montgomery street, by Messrs. Robinson and Kelly, on the 22d of May, 1850; notwithstanding accumulated obstacles, and the disheartening forebodings of numerous friends, who considered the success of dramatic exhibitions as more than problematical in San Francisco, the building was vigorously pushed on by the proprietors, and had so nearly advanced to completion as to have been announced for opening on the 18th of June. But the great conflagration of the 14th intervened; the house was swept away, and with it all the fostered hopes of Dr. Robinson, who was rendered penniless by this unforeseen calamity. On the 17th of the same month—the Monday following—the Doctor is again to be seen, not sitting down idly to lament his loss, but with spado in hand, leveling the foundation of the present site for this pleasant little temple of the Muses; and on the Fourth of July, within the short space of seventeen days, Robinson and Evrard's Dramatic Museum was first thrown open for the admission of visitors. On this occasion it was crowded to excess, and hundreds left the doors, unable to obtain admittance.

The first performance was of a farce, called "Seeing the Elephant," written by Dr. Robinson, who showed himself as ready with the pen as with the shovel, concluding with an original song, of local

character, by the same author, entitled "The Used up Miner."

Mr. James Evrard became associated with Doctor Robinson about one week before the opening of this theatre; he also having lost his all in the same disastrous conflagration. Mr. Evrard had been for many years connected with Mitchell's Olympic Theatre in New York city, but having abandoned the profession, had turned himself to other pursuits, in which he was succeeding beyond his hopes, when the destroyer came, utterly ruining his prospects of fortune in San Francisco, and driving him to embrace the first opportunity of returning to his old vocation, a step which he no longer regrets having been obliged to take. The Dramatic Museum is situated on California street, between Montgomery and Kearny streets, near the new Custom House. The building is fifty feet by twenty, with twenty-seven feet front, the lower part being occupied as a saloon. The theatre is arched, seventeen feet in height. The gallery can accommodate one hundred persons; the lower tier, two hundred; while the private boxes—a late addition—are capable of seating one hundred more.

To form an efficient stock company in such a shift, migratory place as this, which may be likened to a quicksand rather than to terra firma, is not an easy matter; but we must allow that the proprietors have used every exertion to secure that object, having shown themselves always ready to offer an engagement wherever any signs of talent could be discerned. They are themselves actors of no mean order, an enormous advantage in appreciating the real value of whatever assistance may chance to offer; while in securing the services of Mrs. Birrell and Madame Duprez, more especially of the latter, they may consider themselves as singularly fortunate.

With regard to the performances, it suffices to say for the present that we were pleased and amused, reserving a more detailed criticism for future opportunity. But the subject must not be dismissed without remarking upon the perfect good order that prevails in this pretty little theatre, not only in the managerial department, but on the part of the audience likewise; a quiet and decorum which many a city of more settled habits and ancient date might be proud to exhibit.

The following is from the *Journal of Commerce*:  
SAN JESÉ, Sept. 1, 1850.

\* \* I assure you that this is a poor place to collect data for a paper, although the capital of the State. A life here is too much like a clerkship in a brick-yard, one and the same thing; it is like the end of a long road, all the news of importance coming from one direction, and that is the road from your own favored city. There is but little going on of interest except the wonderful improvement in building and preparing for the expected session of our wise men of the Legislature, whom we shall all be happy to see once more, hoping that by this time their frolic of last winter has entirely worn off. The experience of the last summer has proved the very great benefit of some of their acts, and will incite them to another exertion to try their skill once more at legislating for the benefit of the few in contradistinction to that of the many. If good houses, good beds, good tables and good liquors, will do anything to make good laws, there is no question but we may boast, another summer, of a most excellent code.—A most brutal murder was committed here on Friday evening last, on the person of a negro man, of the name of Batture. His body was found a short distance from the town, shockingly mutilated. Several Indians have been arrested, who have confessed a knowledge of the act. The fact was immediately made known to the Grand Jury, who were in session at the time, and who will take the proper steps to ferret out its perpetrators.





ISLAND OF YERBA BUENA.

YERBA BUENA, or Goat Island, as it is sometimes called, lies opposite to the Pueblo of Yerba Buena, the present town of San Francisco. It derives its true name from the quantity of mint that is found upon it, and the more modern appellation from herds of goats, the offspring of a few which were turned out many years ago by four of the pioneer settlers—Robert Ridley, John Fuller, Nathan Spear, and Francisco Guerrero. There seems to be some uncertainty as yet with regard to the real ownership; there are many preëmption claims upon it, but Dr. Jones would appear to be the present possessor, having bought out all the rest. Beneath the island is the wreck of the *Utica*, which unfortunately took fire, in the very heart of the shipping, nearly three months ago. When the fire was first discovered, it was proposed to run her in shore, upon the mud, an idea which we cannot commend for its brilliancy; but the vessel was boarded by several gentlemen, volunteers, masters of ships and others, who took charge, and at once determined upon carrying her across to the island. She was immediately scuttled; about sixty boats hooked on, in three lines, and towed her out, stern first, there not being room to swing her among the fleet. She then crossed the harbor before the wind, in a sinking condition, the smoke bursting out fore and aft, from the hatchways, the fore-castle, and the cabin windows, and grounded in the position in which she is depicted in our illustration. Nothing could be more striking than the staggering progress of the doomed ship to her last resting place, followed by a crowd of boats—conveying the idea of a shoal of fish about to prey on the carcass of some great whale. Had she not have been hauled out so smartly, a large portion of the fleet must have been destroyed, as it would have been impossible to have unmoored the nearest vessels in time to have got them clear.

"WRONGS TO BE CORRECTED.—I observed, in yesterday's *Alta California*, an announcement that a "grand sparring exhibition would take place at the Crescent Saloon in the evening." I was under the impression that with the adoption of our American form of city government, all exhibitions of such a nature would be done away with—on the Sabbath, at least. I am informed, also, that monte tables were kept open yesterday, in one of the gaming houses on Portsmouth Square. "Will our city authorities pay attention to this matter, and see that the proper remedy is applied?"

The sparring match alluded to above, did "come off," and ended, as such exhibitions usually do, in a general row, in which black eyes and bloody noses were given free of any further charge than the \$2.00 admission fee. Such brutal exhibitions are demoralizing in the extreme, and should not be countenanced or permitted in any civilized or Christian community.

We had hoped there would be an end to these sparring matches, on the departure of those two celebrated fighting men, *Chris. Lilly* and *Tom Hyer*, in yesterday's steamer, but we learn that they are to continue every Sabbath.

If there is at present no ordinance on this subject, we hope to see one immediately introduced in the Common Council, and passed before the expiration of another week.—*Picayune*.

We cordially tender our support to the *Picayune* in the position which it has taken up, as an opposer of whatever may tend to confound the first, with the following days of the week. Although such an exhibition may be harmless enough in itself, it certainly calls up associations which are any thing but in harmony with the character of that solemn day, and tends, more almost than any amusement that could be named, to induce an habitual oblivion of the difference and distinction which we were urging but now upon the community.

The *Pacific News*, of the same date, seems to express a censure still more general, judging from the tone of the following paragraph:

DEPARTED.—"The fancy" do not seem to succeed well in California. We see amongst the list of passengers who sailed yesterday, *Tom Hyer* and *Chris. Lilly*, accompanied by their respective ladies. The fact that such men do not find much favor, certainly speaks well for the general tone of morals of our people.

Now we confess to looking upon that departure with a feeling somewhat akin to regret. For the "respective ladies" we have not a word to offer in

excuse; but in regard to the science which the "gentlemen" are supposed to represent, worthily or unworthily, as the case may be, we have always deemed the outcry that has been raised against it to be not only undeserved, but even unwise. The very name of it, "the noble art of *Self-defence*," so quietly sinking even the barest allusion to attack, conveys an orderly and peaceable impression to the mind. Let a contrast be only drawn between the fair contest of the fist, and the stealthy knife, or the murderous revolver, and it will then be seen whether a knowledge of pugilism be not a public benefit, as well as an individual security. The rules of the ring are a code of chivalry to the uneducated classes. They teach a man to look his adversary in the face while fighting; to bear the threatening looks and fierce assaults of his adversary without flinching; to watch and parry the intended blow, to return it with quickness, with resolution and effect; and when the conflict shall have ceased, to treat his enemy with humanity. Their principle is based on the golden rule of Roman warfare, (let every thing be golden in California.)

*Parcere subjectis, et debellare superbos.*  
"Never to strike a man when he is down." Nor are we aware of any country, unacquainted with the practice of pugilism, in which that strong restraint upon the passions is observed. Let it be judged rather from its observed effects, than from rigid principle, according to which, we willingly admit, that our position can hardly be maintained. For we consider it as of a remedial nature merely; a palliative of evils which are already rife amongst us, which unfortunately seem more upon the increase than disposed to die away. And it may be safely maintained that in this case, the remedy is not worse than the disease. We should be sorry, indeed, to answer for the purity of the congregation assembled at an



exhibition of the sort; but are bold to risk the assertion, that a blackguard is more likely to acquire a sense of justice and fairness there, than at a love-feast in the recesses of pseudo-religionism.

We know how easily these remarks might be misinterpreted, and are aware of having laid ourselves open to smart retorts, or even to a display of virtuous indignation, on the part of the righteous overmuch. Yet we have spoken in honesty of purpose, and in settled conviction of the beneficial effect of the prize ring where its laws are habitually observed. That it occasionally lies open to the accusation of ruffianism, is not to be denied; but it is ruffianism by rule, instead of ruffianism without restraint. Do away with both, if you are able; if that be impossible, suffer the lesser evil to supersede the greater. It is merely carrying out the principle of inoculating for the small-pox,—voluntarily inducing a milder form of the disease, by way of security against the more severe; or of insurance, in which a small but certain sacrifice is made, to guard against the possibility of an irretrievable loss.

The subject naturally leads to the consideration of a custom by which society in California is seriously affected, and which has tended, beyond any other, to fix an ill name upon it abroad. We allude to the almost universal practice of carrying arms, and, as a necessary consequence, of appealing to their decision on the slightest provocation. Why are they borne? Is it for personal security? Granting the usefulness of such a precaution in the wild outskirts of the country, we will not affront the executive so grossly as to allow, for a single moment, that they can be required in the towns.

Is it merely a spirit of bravado, free from the intention or the inclination to do a mischief, but which cannot refrain from showing the power, and taking credit for forbearance:

*Et qui nolunt occidere quemquam,  
Posse volunt.*

It cannot be called an innocent vanity, so long as the community pays such a heavy price for its indulgence.

Is it to diminish the likelihood of suffering an insult, coupled with the determination to avenge it? We believe the chances of such a mishap, even in this rough country, to be much fewer than they are often supposed to be; that an affront is seldom put upon any man, unless some kind of provocation be offered; that wherever it is received, the recipient himself must be in some degree to blame. A demeanor at once firm and unassuming is a better safeguard to personal dignity than arming even to the teeth.

Whatever may be the cause, the effect of this custom is notorious enough, and has been only too fatally displayed in the unhappy differences that have so lately agitated the community, from the recurrence of which there is no guarantee of our being yet secure. The *xamphutos epithymia* of Plato, the innate propensity to disorder, so rapidly developing itself among us, is mainly attributable to a habit which the wearing of weapons is sure to engender by degrees,—that of looking to an armed right hand, rather than to the laws, for protection and redress.

**SERIOUS AFFAIR.**—A very serious affair recently took place at Rough and Ready city. Some difficulty about cards was the cause. One of the party attempted to shoot the other, but missed him; the ball passing through a tent, struck a gentleman on the outside, in the left breast, lodging underneath the shoulder blade. The loss of the life of an uninterested man will be the consequence.—*Transcript.*

**THE RESOURCES OF CALIFORNIA.**—The depression consequent on the suspense in which the people of California have been kept in regard to their admission into the Union, has caused the them to lose sight, in some measure, of the very extraordinary success that this State has already achieved. The pressure of the many checks that individual enterprise has met with, diverts the attention of our citizens from the aggregate results. The many causes that act as obstacles to mercantile enterprise are felt with great force, and they are naturally regarded as tending to destroy the prosperity of the State; but it is consolatory to reflect, that ultimately the natural advantages of the country must cause it to triumph over every obstacle to its progress. Its position in the Union must be not that of a single State, but of a section; for, the want in the nation's commerce only supplied by large sections of the country composed of several States, California unaided and alone is destined to supply. Already the United States clothe and feed the world. They will henceforth be able, by the aid of California, to furnish the third great staple, which is bullion. Thus this State will rank, in point of commercial utility, with all the cotton growing States put together, or with the entire valley of the Mississippi. The importance to the United States of this third article of commerce can scarcely be overrated, and no doubt Congress will take early measures to prevent it flowing through a foreign channel, as much of it does at present. It is not unreasonable to estimate the monthly product of the mines at four millions of dollars—a sum greater, we believe, than the yield of the whole cotton crop of the United States in any one year. It is probable that this yield will continue for many years; as what will be deficient in the operations for getting surface gold, will be made up by those of the steam crushing machines and other appliances for obtaining gold from the quartz rock. It will be seen, then, that the people of California, with a population of about two hundred thousand, will produce as much as three millions of people in other portions of the Union. The energy of our citizens could not be exhibited in a stronger light.

But it is supposed that this state of affairs cannot continue—that things in this country must find in a short time the level of things in the other States; and that, the first flush of prosperity past, California must sink to premature decay. On the contrary, the causes of her present extraordinary advancement cannot, in the nature of things, cease. Her population must necessarily increase—the contrary is not to be supposed—and her resources being exhaustless, if, with a population of two hundred thousand she now produces fifty millions, what may she be expected to produce when she has a million of inhabitants? But, in estimating her products, we have merely instanced the one article, gold. When her quicksilver mines are in full operation—and they are the richest in the world—when her coal and other mineral treasures shall be fully developed, it is easy to imagine that seventy-five millions annually will be a safe calculation of her products.

It is probable that within the next year the commerce of this port alone will not fall short of seventy millions of dollars. San Francisco has already increased in size and wealth to an extent never dreamed of. It is evident that such an immense influx of trade must of itself build up a great city. Any temporary depression that may be felt for the time being, will soon be swept away by the commerce of the Pacific, which must centre in this port, and which must soon force a channel for itself across the continent. Thus, California has two great elements of wealth—a position which secures her an immense trade, and a soil which teems with mineral treasure. The development of the latter depends greatly upon the emigration from the United States. This will increase rather than diminish, as soon as the State shall be admitted into the Union. Nothing can prevent the hardy and enterprising men of the West from emigrating to California, and once settled here, they will remain. It is not in their nature to go back; and even if they amass a competence and go home to enjoy it, they must return. It is not possible for them to endure permanently the tame life of the eastern States, after the excitement of California.

The last steamers have carried off an unusual number of passengers, and this has been regarded

by many as an unfavorable symptom; but it should be considered, that of those who arrive in this country, a large number are wholly unfit to wrestle with its difficulties, or to endure its privations. The consequence is a total failure of success, and as soon as sufficient can be obtained to pay their passage home, they leave. Many go to recruit their health, and many more on business, with the intention of returning; but doubtless a considerable number of those who left on the last steamers are dissatisfied with the country, and intend to stay at home when they arrive there. It is not by such men that California is to be built up; and their departure is by no means a disadvantage. The bold, hardy, enterprising, industrious and resolute cannot fail to succeed, and it is such men alone who are worth any thing in a new State. California is no place for sluggards.

We believe the only thing that can for any time retard the progress of this State, with all the natural advantages we have pointed out, would be the further delay of Congress to admit us into the Union. This obstacle will, it is hoped, soon be remedied, and then—*Herald.*

**THE STREET GRADES.**—It is a matter of much comment among the citizens that the grades of the streets have been fixed upon at a greater elevation than there is any necessity for; thus not only heaping upon them a vast additional expense to their heavy taxation, but creating, by these lofty street barriers, immense reservoirs in the interiors of blocks for retaining all the water that may fall during the rainy season. Particularly does this seem to be the design in regard to the square between Kearny, Jackson, Pacific and Montgomery streets, which, when the streets are filled up to the grade, will enclose a basin some ten or fifteen feet deep, burying the houses nearly up to the second story windows.

Now this is all unnecessary labor and expense. A lower grade, even if the streets were not quite brought up to a *dead level*, (a thing quite impracticable in San Francisco,) would answer every practical purpose. It is more beneficial than otherwise that undulations should be preserved, drainage being more easy and rapid; and fewer large sewers to carry the surface water to the Bay being necessary. In California street we notice an embankment opposite a house, by which we infer that the grade of that thoroughfare is to be raised eight or ten feet in some parts, which there, as elsewhere, will prove a serious injury instead of a benefit to the real estate thus walled in. To carry out these city improvements, the whole interior of the lots require to be filled in to nearly the street grade in order to prevent them from being converted into sink holes; and to force our citizens to do this, and to rebuild or *shore up* their buildings, would involve an expense of many millions of dollars, for no present necessity whatever; and at a period, too, when the ability to bear such a burden of taxation has been seriously impaired by the disastrous fires, and other causes tending to depress the business of the city. We doubt the wisdom, as we certainly do the necessity, for these high grades—at least for the present. We fear more has been undertaken than can be performed, and additional causes be thus added to the embarrassments of an empty exchequer.—*Pacific News.*

**HEAD WATERS OF THE SAN JOAQUIN.**—Recent accounts from parties, lately arrived in Stockton, represent the country in the vicinity of the San Joaquin as the most delightful they have seen in California. The land is rich, and the climate well adapted for agricultural pursuits. Several large ranches, well stocked, are situated on the junction of four rivers with the main stream. Provision stores are already in operation and doing an active trade with the Indians, who are very numerous, but perfectly harmless. It is reported that gold has been found in considerable quantities in the beds of the streams, and several parties are mining with success. We are informed that a company of soldiers are to be stationed somewhere in this quarter, and that the road has been surveyed by Lieutenant Williams. The distance from Stockton is 195 miles. The new settlement possesses a great advantage in being on the main road for the overland emigration, by which route it is calculated a distance of two hundred miles is saved.—*Stockton Times.*





GOING TO THE MINES.

What is here?

Gold! yellow, glittering, precious gold! Why this  
Will lug your priests and servants from your sides;  
Pluck stout men's pillows from beneath their heads;  
This yellow slave  
Will knit and break religions; bless the accursed;  
Make the hoar-leprosy adored; place thieves,  
And give them title, knce, and approbation,  
With senators on the bench.

TIMON OF ATHENS.

an excuse for claiming credit from the merchants of the depot towns, who complete the system by producing the acceptances received, when accommodation from the banking houses may be required. And thus the whole community, from lowest to highest, becomes involved in the success of the original speculation, which only too often proves to have been labor utterly thrown away.

Going to the mines! It is another matter coming back:—

Where is the horse that doth untread again  
His tedious measures with the unabated fire  
That he did pace them first?

Homeward bound from the diggings, the gold hunter is an altered man: known at once by his looks, by his very gait,—for a practised eye will even pretend to estimate the number of months that he shall have been engaged in the consuming toil,—disappointed, of course, for the highest luck could never have come up to the extravagance of his early hopes. But his trials are not yet over: snares and perils surround him still. Monte tables are open, inviting him to make up the difference between what he has got, and what he expected to get; the craving for relaxation, which a season's labor and isolation from the haunts of men will almost invariably generate, may lead him into squandering and dissipation; or possibly he may pay the price of carelessness,—not knowing that lynx-eyes are ever on the watch about him,—in being robbed of his hard-gotten gains. Through one mishap or another, the chances are that he settles down at last into that most deplorable class-specimen of humanity, The used up Miner.

ROUTE TO CALIFORNIA—THE TEHUANTEPEC ISTHMUS.—Mr. Letcher, the American Minister at Mexico, it has been announced, has succeeded in effecting a treaty with the government of that country, with respect to the Tehuantepec route across the Isthmus.

Gaetano Moro's survey gives a highly favorable picture of the country, for the proposed road. From his surveys, it seems that the entire distance from sea to sea, is one hundred and thirty-five miles, in a right line. It presents a wide plain, from the mouth of the Coatzacoalcas to the foot of the Mesa de Tarifa, which is a table land, rising to 650 feet above the level of the sea, and, at five miles distance, descends again to the plain which reaches the Pacific. Near Tehuantepec, Moro found two extensive lakes, the outer separated by a narrow sand-bank from the ocean, and the inner and larger communicating with it by a channel between high banks. Eight rivers flow into them, and, with some improving, ships may find harbors in these waters. From the inner lake, the land rises very gradually to the Venta de Chicapa, thence with a steeper acclivity upon Tarifa—and there is a slight declivity to a river, which is navigable for ships for the distance of thirty-four miles from its mouth, on the Gulf of Mexico. Such are the rude outlines of Moro's survey.

The resources of the country are immense for timber of the best quality, for building a road. The facilities for cattle feeding are complete. The soil is prolific, and salt mines are abundant. The climate is agreeable and mild, and usually salubrious. The advantages, therefore, for constructing a road cannot be overlooked. In a commercial and political point of view, however, such a road would be very desirable, and, could it be made, would add largely to the prosperity of our country. From the mouth of the Mississippi to San Francisco, by Tehuantepec, is 1825 miles nearer than by Panama. From New York, 1400 miles of sea navigation would be saved, were this route opened.—Stockton Times.

GOING to the mines! something travel-worn, but still elate and cheerily; bidding good morrow to the rising sun, fit emblem of their own hopes—fitter emblem, indeed, than they wot of, for it has presently to decline and set. Not a thought of failure is suffered to obtrude; high-wrought buoyancy of spirit revolts against the slightest check; the prospect of incessant toil, privation, ague, Lynch law, revengeful Indians, angered at being ousted from their own,—all fears and forebodings are absorbed in the master passion that led them forth upon the quest.

But the times are past in which gold could be gathered, almost for the pains of stooping to pick it up. Labor and sweat, "the penalty of Adam," are now exacted to the uttermost, before the earth will yield her harvest; and even to that she will presently refuse it, yielding to nothing less than to compulsion of the all-conquering giant, steam.

It is risky work, as mining is now carried on: cutting dykes, raising dams, turning rivers by dint of weeks of drudgery, taking the chances of what may be found beneath the beds: the majority of those engaged running up scores with the local store keepers, who take their chances of success likewise; they, on their own part, giving in this as



**AFTER A PILE.**—"Look here, yeou," said a new gold hunter the other day, as he planted himself in one of our cane seat chairs, "be yeou the editor of this 3x4 sheet?"

We drew ourselves up with a severe attempt at dignity, and signified that we had that honor.

"Then yeou'r jist the feller I want to talk a spell tew."

We motioned to him to proceed, and after setting his hat down, and turning the other end of the stick he was whittling, he drew one eyelid down into a most significant wink, as he remarked:

"I'm arter a *pile*, stranger,"

We nodded our assent.

"and I want to get it in a leetle tbe shortest space of time," added he.

We ventured to state that most persons who came to California, desired to effect the same object.

"Well, I reckon they do," said he, "but the darned fools go cuttin' round in the gullies, and pirootin' through the cricks, and prospectin' in the monte banks; but I'm a mite too cute to go a foolin' my time arter such notions. Yeou see, I'm a married man, stranger, and hev got six children, and the hull lot of 'em are awful smart; and my old woman aint slow, I reckon'. She was a daughter of old Nathan Peabody, of Lowell; yeou knew Nathan, didn't yeou? What! yeou didn't know him? Well, he was a desperate smart old man. He used to make about the best ginger beer yeou ever put into your stomic. Well, as I was sayin', my wife was his oldest gal, except his son Hezekiah, a proper smart young fellow he was, tew—he used to go down South, every year, and the way he used to snake in Uncle Sam's tin for his tin ware, wan't slow. Yeou knew him, I reckon—if you've ever bin South you seed him. No; yeou didn't know him? Well, du tell! Guess yeou haint bin round the States much. Well, as I was tellin', I sleep with his sister; and in about the last seven years, we have bin gittin' along right sharp in the way of increasin' the family; and my wife says to me, says she, 'Zeekil, do you know what I'm longin' for?' Well, I knew if she was a longin' for anything, I had to get it, for I always had to dew it—be yeou a married man, stranger? oh! yeou be—well then, said I, what in the airth do yeou want, Grace?" said I.

"Well," said she, "Zeek, I want a few *specimens*." I looked round upon the children—I believe I told yeou I had *six*—well, I looked at 'em, and said I, "Grace, I reckon I've given yeou a pooty good share of 'em; enough tew satisfy any reasonable woman." Says she, "go long; I don't mean nothin' of the kind—I want some *Californy Specimens*!" She blurted it right eout, and I knew if she was longin' arter them, she had to hev 'em, so she has just gim me six months—that's a month for each child—to come eout here and git a pile; so, now, yeou tell me where it kin be raked up in a leetle the shortest space of time. I'm arter it with a sharp pick and a hot shovel; and yeou press fellers know where it can be got, if you'll only tell."

We ventured to recommend Scorpion Gulch.

"No yeou don't, stranger," said he; "I aint goin' to any place to git bit with varmint. Where's the *Mary Poser*?"

We endeavored to direct the route.

"It aint no grant to a Mexikin gal of that name, is it?" enquired he.

"Well then, I'm arter *Mary Poser's specimens*; but I wouldn't go and dig in her gulch ef she owned it, under a Mexikin grant, for my old woman made me promise to keep out of them senoritta diggings. Good bye," said he, "ef I get the pile, I'll christen the next specimen I have at home, arter you; I'll be dured ef I don't;" and away dashed our eastern friend, in search of that *pile*!—*Stockton Journal*.

**COOL.**—The other day, whilst the carpenters were at work upon the upper part of the Parker House, a rafter fell through to the second floor, knocking a heavy board on to a faro table below, scattering the specie in every direction, and nearly breaking the "bank," together with the head of the cashier, who merely looked up at the workmen above, and in the most *sang froid* manner possible, exclaimed, "We don't take no such bets as that!" and then coolly proceeded to gather up his scattered funds.—*Alta*.

We cut the following from the *Alta California*, for the sake of the information which it contains:

**THE GOLDEN GATES.**—Among the embellishments of the first number of the *California Illustrated News*, is a spirited sketch of the Golden Gates, or entrance to the Bay of San Francisco. There has been considerable discussion as to the origin of the name of the Golden Gates as thus applied. Major Noah, in one of his articles attempting to shew California to be the ancient Ophir, whence Solomon drew his cargoes of the precious metals, states that the name of Golden Gates is "found on the old maps of the country," and scriptural in its character. Major Noah is mistaken, however, in supposing the name to be found on old maps. The name is first found on Col. Fremont's map of the spring of 1848, and in his "Geographical Memoir of California," published at the same time. The poetic and classical name, *Chrysopylae*, or Golden Gates, is there suggested by Colonel Fremont, not in allusion to the gold deposits of California, which were then, in fact, not discovered, but in anticipation of that *golden commerce of the east* which formerly overflowed with its riches the Golden Horn of Byzantium, and has clothed all the different countries that have successively enjoyed it with wealth and power. We are warranted in believing that here in California, entering through the Golden Gates, is to be the last and permanent seat of that vast and commanding traffic.

**EXPLORATION OF THE KLAMATH RIVER.**—The schooner Samuel Roberts left this port on the 7th of July, having on board a company of twenty-four persons, for the purpose of exploring the Klamath River, where they arrived on the 21st July, but finding the Indians very troublesome, and the river not being navigable, they sailed on the 31st July for the Umquas, and arrived there on the 4th of August, where they found a river navigable to the distance of 25 miles inland, for a vessel drawing 12 feet of water. On the bar, the depth of the water is three fathoms at low tides, and there is no difficulty in entering the harbor. Three of the party dug for gold on the south fork of the river, and the proceeds of two hours' labor was about one ounce. The Indians in that part are very friendly. They left Mr. Jaritt, engineer, and 11 other gentlemen of the company, laying out towns. Previous to the sailing of the S. R. three new towns had been laid out, viz.: Benton, at the mouth of the river, Scottsburg, at the head of navigation, and Winchester, at the forks of the river, about 25 miles above Scottsburg.—*Herald*.

**HEAD OF NAVIGATION.**—Upon the river boats discontinuing their trips to this place, Colonel Grant published a flaming advertisement in reference to Nicolaus, headed "Head of Navigation! Depot for all the Northern Mines!" and at considerable length blew a tremendous blast for the town, upon the strength of its being the *terminus* of the steamer Dana from Sacramento city. That was mighty fine while it lasted. But a week ago, the Dana stopped coming as far as Nicolaus, and now stops at Vernon. The Vernontes now claim their town to be the head of navigation. But Colonel Grant wont *take down his sign*. All right, gentlemen. Only make the people believe you, and you are safe in asserting anything. Meanwhile the owner and captain of the little steamer Yuba says Marysville is the head of navigation, and as evidence of that fact, the steamer plies here regularly.

Now who is right? Or, are all three towns at the head of navigation? Verily, we believe that navigation in California is hydra-headed!—*Marysville Herald*.

**A BODY FOUND.**—Whilst the workmen on Clay street were prosecuting their labors in sinking the ditch on Saturday, near Capt. Paul's new provision store, they turned up the coffin of a child, apparently three or four years old at the time of its death. It is supposed to have been the child of a Mr. Spear, one of the old Californians, who, before San Francisco was a town even, had his house and garden in that neighborhood, and buried his little one in his garden where huge piles of brick and mortar now stand, and the public thoroughfare of a bustling city is laid out. Mr. Spear died last year, and was buried with all the honors of an old American Californian resident.—*Journal of Commerce*.

**THE MAN WHO WANTED TO BE BROKE.**—We were more than usually amused, the other evening, at coming across a group of persons in the street, in the midst of whom was rather a green specimen of human nature, indulging in a tirade of angry words, which seemed to delight the bystanders. It appears, he had been what is called "bucking against the bank," at one of the plaza saloons, at the game of "vingt-et-un," and of course was *minus* the full amount (if not the whole) of change with which he had commenced the game. But it was not the loss of his small change that appeared to trouble him, so much as the fact of the banker not playing the game out with him, to use his own words, "till one or tother on 'em got *smashed*." Said he, "I got *deep* into the feller's heap of dollars, and kinder had thought I would quit then, but he sort o' dared me to '*come down*' agin, and as I wouldn't stand a stump, no how, I slapped down an ounce all at wonst, and darn my blasted eyes, ef he didn't come an *ace and jack* on me as slick as grease. Wall, says I, that's a good one, old feller, but here's at you agin, and down I puts another ounce, thinking to win that and then be O. P. H. But thunder and lightnin', ef he didn't win *that*, tew! Wasn't I mad as blazes, though? Guess you'd ha thought so, ef you'd seen me hit the table with my maulers. Howsoever, as I was tarmined to make up what I had lost, and then quit, I puts down a half ounce bet, havin' but leetle more than one ounce left, and thought sure I would win that, but I'll be tee-totally darned to darnation, ef the feller didn't take *that*. Sich cussed *luck* made me madder than ever, and I didn't care a straw ef I got smashed all tew pieces and cleaned out of every cent I had, and down I slapped a whole ounce agin, most like breakin' the table with my fist, and, Jerusalem! I won! Now I will fetch you, Mister, says I, and I goes him the tew ounces, when, thunder and Mars, ef he didn't van teune me agin with that cussed *ace and jack*! I guess it wouldn't ha been safe for cenny one to have axed me *how I felt* jist then, as I had but zactly five dollars left of the twenty that I commenced with. I felt all-fired desperate agin, and would ba done some damage to somebody's countenance had I got a lick at 'em. But I warn't goin to give it up so, and tarmined to go it small on him as I did at first, till I got my '*pile*' back agin, and then mosey. So I flinged a dollar at the feller, an' told him to give me tew halves, and what do you guess the almighty mean critter done? Why, he jist kinder smiled, tuck out his watch, and arter lookin at it awhile, he said he must *close the game*, cause it was gittin' late. Oh, Moses! didn't my ebinezer bile right over? 'Close the game, will yew?' says I, 'no yew don't, by a jug full—yew must break me first—its agin the rule to stop jist cause you've got ahead of a feller,' and I slaps down a half dollar, and telled him to deal away. But it warn't of no use, he jist laughed at me, and the tother fellers round the table snickered right out, and one of 'em telled me to come agin, and buck the darned feller's bank, and he would help me dew it. And it's jist what I'm goin' to dew. Close the game on me before I was busted, the tarnal mean critter! By gracious, my fingers itched to get ahold on him and give him sich a lickin' as he never had; and I would ha done it, tew, ef I hadn't seen the eend of one of them shooters what goes off so many times, stickin' out of his trowsers pocket."—*Alta*.

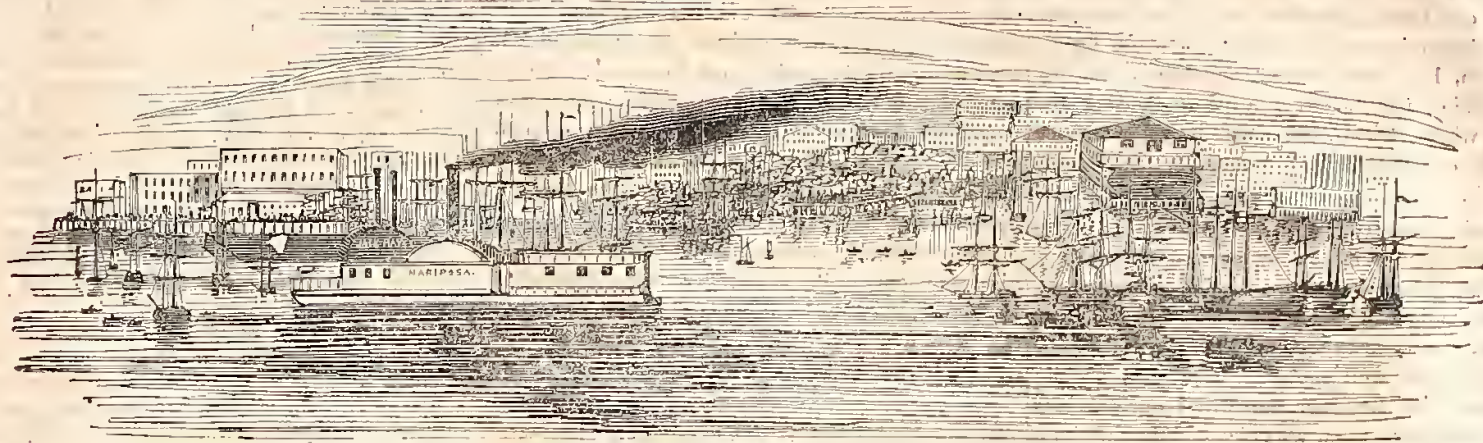
**TAKING THE CENSUS.**—We perceive by the papers, that Mr. Johnson, who was appointed by the President to take the census, has commenced the duties of his office. We fear that he will find himself in the same predicament as the fisherman who was attempting to count a drove of cows. He counted all but two, and they kept moving round, so that he gave up the job in despair.—*Picayune*.

**THE RINCON RANGERS.**—A company under this title was formed during the latter part of last month in Happy Valley.—*Alta*.

**JOHNSON'S DAGUERREAN GALLERY.**—GEORGE H. JOHNSON begs to apprise the public that he has opened a Gallery, on the North side of J street, between Third and Fourth streets, in Sacramento city, to which he respectfully invites the attention of all who will favor him with a visit, whether they be intending sitters or not. The rooms are fitted up expressly for the purpose, a skylight having been introduced, and various important alterations made to insure the success of the operation. He will undertake to warrant his Daguerreotypes equal to any taken at the best establishments in the States. A large assortment of Frames, Cases and Lockets, constantly on hand; also, a Daguerreotype apparatus, Chemicals, &c.



# THE ILLUSTRATED CALIFORNIA NEWS.



VOL. I.

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Quod libet, licet.

"What I list is law:"—the people's motto, through force of which legal law is enacted in the California townships, and Lynch Law—the up-country Court of Oyer and Terminer, at the mines.

For tolerating this latter variety of justice, which we must needs confess to be not quite so reputable in appearance—so measured in port and carriage as its primmer compeer, the youngest sister of the Union has drawn upon herself some smart reproofs from the rest, who are shocked, forsooth, and scandalised; taking care to forget that themselves, likewise, are liable to the charge of having played a few skittish pranks in their own time, and, unless Fame be as "lying a gossip as ever knapped ginger," of being not quite secure from a relapse even at the present day.

There is no need for any virtuous indignation about the matter. Lynch law may be not quite upon a par with the code of Justinian, but it is many times better than none at all; and were this the weightiest charge that could be brought against poor erring California, she might still continue to realize quite as much reputation as can be necessary for the present purposes of an embryo Pacific State.

What is it that your purists and formalists would have? In their anxiety to provide for lesser things before the greater be cared for, they remind us forcibly of one who held all ancient practice in such especial reverence, that he could not reconcile himself to being hanged, because the judge, when

passing sentence, had not been arrayed in a cauliflower wig. By one of the commonest fallacies in dialectics—the *non causa pro causa*—conceiving the sentence to be *informal*, he concluded that it must be, on that account, *unjust*.

Now we believe that Lynch law—let us not take fright at a *more word*—is, neither in practice or in principle, so preposterously absurd. It is but a purely democratic form of justice, after all; unfettered by rule—somewhat wild and irregular, but very possibly administered none the less equitably for that. Granting our opening postulate, the ultimate identity of both, in principle, needs hardly to be insisted on. It suffices to observe that they both take their rise from the same source—the people's will—the only perceptible difference consisting in this: that legal law is administered through one remove, the people having voluntarily resigned the privilege of *immediate* interference, but exercising that power through ministers appointed by themselves.

We apprehend that those who look upon Lynch law with such pious horror, must quit the ground of principle, and fall back upon that of practice, in order to sustain their objections. There the matter rests upon its right footing at once. And we fearlessly appeal to those who have had opportunity of really witnessing its workings, whether the bugbear be so dreadful on a closer view, as when looming large through the mist of hearsay. Experience has shown that but little caprice is manifested in its administration; well meaning men do not dread it; on the contrary, they rejoice in the comparative security which the terror of its name affords themselves, content to live under the shadow of the eagle's wing. Little irregularities may occur from while to while; a few wild slips,

Ausi, quod tanica liceat punire molesta,

may be occasionally tarred and feathered, instead of being allowed to cool their passions in the chill decencies of the penitentiary: risible associations may be attached to the exhibition; but so long as the ridicule of the infliction does not diminish its efficacy, the objection is scarce worth dwelling on.

The scale of punishment may be severe, but it lies upon the fault-finders to prove that it is unnecessarily so; to prove it, with due regard to the well recognised principle, that "the prevention of crime, and *not* society's revenge against the offender, is the true object of criminal jurisprudence," and that retribution is to be measured out, not so much according to the moral guilt of the offender, as *the strength of the temptation to offend*.

"Those who live in glass houses must not throw stones."

It is not in the diggings, at all events, that laws can be likened to spiders webs, whose meshes are able to entangle the smaller insects only, but are broken through at pleasure by the more powerful; it is not there that we hear of respect to persons; of legal flaws; of indictments craftily framed, so as to ensure acquittal; of bribery in the broad face of day, not confined alone to the class of underlings and hangers on; of costs so crushing, that the wealthy may put the poor man at defiance, challenging him derisively to enter the lists, while, by a curious anomaly, the poor man, in another class of cases, will defy the wealthy man, on the ground of his being what is technically called "not worth powder and shot," taking for granted that costs and damages will of course be made to fall upon him who is best able to pay them; of murderers, taken red hand, *flagrante delicto*, suffered to go at large on bail, in order that the recognisances might be forfeited; of unblushing connivance—but there is no need to string on more pearls to the file.

"Such things have been so, and such things are true,"



open, notorious, only half denied. No more straining at knats and swallowing of camels for us.

We are not beating about for "stuff" to make paradoxes," but cannot help avowing, that were we called on to make an election between the two forms of California law, as they are actually practiced at the present time, we should give our unhesitating preference to the more informal. Keeping the original postulate in mind, that both alike emanate directly from the people, we affirm our deliberate conviction that the law has been much more reasonably and effectively administered, where the people have been their own executive, as in Lynch law, than where they have appointed a deputy executive, as in legal law, to take their place. Is it not a topic of common complaint, that, from the very date of the establishment of technical forms of law, crime, which had been at one time frightened almost into catalepsy by the energetic measures that were taken for its repression, has been steadily advancing, step by step, bidding fair to sweep over us, during the coming winter, with a force that may yet chance to haffle our over-tardy struggles to make head against it.

What if we were to advance a step farther in the argument than the mere showing that these things are so, but likewise attempt to demonstrate that, according to the ordinary calculation of events, they could not have been expected to be otherwise.

"We went on well enough," is the cry, "while we administered the laws ourselves; our troubles date from the time when we delegated the duty to a ministerial executive, that does not do its duty."

Now in all cases of dereliction of duty, it is just as possible that the commands should have been unreasonable, as that the services should have been slack. It is not fairly to be expected, for some while yet, that the executive should be fit for the duties imposed upon it. The country is in a transition state just now, from a simple to a more complex form of law, and, like the crab that has cast its last year's shell, is defenceless for a limited period, though sure to acquire a new coat of mail, and a stouter than the last, if it be lucky enough to escape clear of injury meanwhile. Every period of marked change in a nation's constitution is a period of temporary weakness and difficulty. The transition from Lynch law to legal law, a necessary one, is attended with its own peculiar inconveniences, which must be allowed for. Too much must not be expected at first of an executive hastily patched up upon the spur of the moment, the greater number of its members even unacquainted with the routine of office, and who cannot reasonably be expected to take an extempore interest in any thing connected with their offices, beyond the emoluments thereof.

What again, if we were to descend from a philosophical, to a common sense view of the case, and try whether it will lead to the same conclusion.

"Our public functionaries," complain the electors, "are sacrificing State affairs to their own, converting their offices into mere instruments of personal aggrandisement." And is it so very surprising that they should? What more could any one elector have expected when he gave his vote? Had he actually, good easy man, deluded himself into the belief that his magic card was to evoke noble aspirations and high-souled disinterestedness for the occasion—*pro re nata*—no matter whether symptoms of such virtues had been previously manifested or not? Did he seriously expect, that men who came out for the most part with the avowed intention of "making a pile," and being away again to enjoy it

elsewhere, reserving their patriotic feelings fresh and unimpaired, for the genial autumn of life—that these men, in simple consequence of an event called "heading the poll," will suddenly, by a kind of hey presto jugglery, strike out a new line of operations for themselves, and, in an outburst of patriotic sentiment, forego the leading object of their lives? Surely, not a voter at the poll could seriously have expected such a sacrifice on the part of human frailty.

Public officers are eager to "make their piles!" And who shall blame them? Who shall cast the first stone? What came we out for to do, in California, every one of us, from the pinnacle bough to the sucker at the root of the tree? To indulge in diatribes about public virtue during a transition epoch, gravely to parade our sorrow and grief at the subservience of public to private interests, would subject us to the well merited ridicule of all who have an eye to distinguish truth from cant. A little patience only is needed, for the present; things will work themselves round, by degrees; public opinion, and the sterling good sense of American electors, will come, in time, to exercising their legitimate restraint upon the functionaries elected.

Meanwhile, although not so unreasonable as to call upon our "pile makers" to deny themselves altogether, we have at least a fair right to entreat that they will show themselves as *moderate* as they can reasonably afford to be.

I found Van Ankers' party at dinner, in front of their tent. Van showed me a leathern bag, containing several pounds weight of very pure gold, and which was carelessly tossed about from one to the other for examination. It was the produce of his morning's work, he having fortunately struck upon a large pocket.

On inquiring whether, as there existed such very strong temptation, robberies were not very frequent, I was informed that, although thefts had occurred, yet, generally speaking, the miners dwelt in no distrust of each other, and left thousands of dollars worth in gold dust in their tents while they were absent digging. They all felt, intuitively, that honesty was literally the best policy, and a determination to punish robbery seemed to have been come to by all as a measure essential to the security and welfare of the mining community, independent of any question of principle.—*RYAN'S PERSONAL ADVENTURES IN CALIFORNIA.*

**DEGENERACY.**—The events of the day prove quite clearly that there is a degeneracy among the people. A year ago a miner could have left his bag of dust exposed to full view and absent himself a week; his tools might have remained unmolested in any ravine for months; and his goods and chattels, bed and bedding, might have remained along the highway for an indefinite period, without being subject to the secreting of any one. Now, however, it requires the utmost diligence to keep the "dust" from being stolen; the cabin of the miner is frequently entered, examined, and articles thieved; the implements of his trade are not secure out of sight; and indeed a perfect relaxation of morals seems to have taken place. We have been informed of several cases where men who had been engaged in throwing up dirt in dry diggings, awaiting the rainy season, have had their thrown up earth completely riddled of every discernible particle of the *oro*. This is certainly a speedy way of acquiring means, but most reprehensible, and is a matter of exceeding regret, as it is a sad reflection on the honesty of mankind.—*Picayune.*

**INCREASE OF CRIME.**—This has been on the increase, we fear, ever since the adoption of the State Constitution. The Docket of our Recorder occupies double the pages it did a few months since, and we fear it will steadily increase. What is the proper remedy?—*Pacific News.*

**ALARMING.**—The Herald mentions "five open and bare faced robberies" which have recently been committed in and near this city. Two men, in open day, on Wednesday were attacked and robbed, a physician knocked down in Kearny street and robbed, &c. Street lamps, a strict watch and prompt punishment can alone check this increasing state of crime.

**THE FIRST CALIFORNIA JURY.**—The Rev. Walter Colton, who resided at Monterey previous to the discovery of gold, has written a work full of interesting incidents. It appears that Mr. C. officiated as Alcalde of Monterey; and, during his occupancy of that office, he administered the law with a rigor to offenders which made them respect his edicts. In his notes of the times, we find an interesting item respecting the institution of trial by jury—that inestimable gift to a free people. The jury that was empaneled by him was doubtless the first that ever had been in California. In referring to it, Mr. C. says:

I empaneled to-day (Sept. 4) the first jury ever summoned in California. The plaintiff and defendant are among the principal citizens in the country. The case was one involving property on the one side, and integrity of character on the other. Its merits had been pretty widely discussed, and had called forth an unusual interest. One-third of the jury were Mexicans, one-third Californians, and the other third Americans. This mixture may have the better answered the ends of justice, but I was apprehensive, at one time, it would embarrass the proceedings, for the plaintiff spoke in English, the defendant in French, the jury (save the Americans) Spanish, and the witnesses all the languages known to California. But, through the silent attention which prevailed, the tact of Mr. Hartnell, who acted as interpreter, and the absence of young lawyers, we got along very well.

The examination of the witnesses lasted five or six hours. I then gave the case to the jury, stating the questions of fact upon which they were to render their verdict. They retired for an hour, and then returned, when the foreman handed in their verdict, which was clear and explicit, though the case itself was rather complicated. To this verdict, both parties bowed without a word of dissent. The inhabitants who witnessed the trial, said it was what they liked; that there could be no bribery in it; that the opinion of twelve honest men should set the case forever at rest. And so it did, though neither party completely triumphed in the issue. One recovered his property, which had been taken from him by mistake; the other his character, which had been slandered by design. If there is any thing on earth besides religion for which I would die, it is the right of trial by jury.

**MORE MURDER AND ROBBERY.**—A Chinaman was brought down from Stockton, last week, on board a steamer, and, by order of the City Marshal, taken to the Hospital. It seems that he was on his way down from the Calaveras mines, in company with a companion, and somewhere beyond Stockton the two were attacked by robbers. His companion was killed, and he had his arm broken by a ball. The murderers then struck him over his head with a musket, and left him for dead, having robbed him and his companion of everything. He finally succeeded in getting to Stockton, and thence here. He was in a very critical condition, and was unable to walk. The recurrence of such scenes of blood and robbery is frightful to contemplate. There is no more peaceable set of men in the country than the China boys, nor more industrious. And, cut off almost entirely as they are from the socialities of life by the strangeness of their language, we cannot but feel the warmest sympathy for them when made the subjects of oppression.—*Alta.*

**APPLES.**—We saw, one morning last week, at Long wharf, a boat load of the fairest *manzanas* which we remember to have seen since we visited daddy's orchard in the States. They were all the way from the mission of San Juan, near Monterey.—*Pacific News.*

**A WHITE PELICAN,** weighing seventeen pounds, and whose wings measured eight and two-thirds feet, was shot last week, on the other side of the Bay, by a member of the Patchogue Club, who devote themselves to killing game. This bird was to be seen at the door of a restaurant in Washington street, below the plaza.—*Pacific News.*



Whose hot haste  
Does not divide the Sunday from the week.

HAMLET.

In our last number, while offering a few remarks upon the social state of this community, and the most efficient modes of raising it to a level with its elder brethren of the Union, a decent observation of the Sunday was mentioned as one of the most powerful levers that could be brought to bear.

Certainly, much has been already done towards this end, and even more has been intended; witness the exertions of Malachi Fallon, Esq., City Marshal, in preparing a bill for the protection of the Sunday, which was presented by Alderman Gillespie, but rejected, it is said, from motives which we shall not pretend to canvass. But still the difference between San Francisco, as it is, and as it was a few months ago, is a most remarkable step in progress. The labors of the gambler have been enforcedly suspended; sparring matches on that day have been discontinued, though not yet prohibited, while something like a tone of propriety is beginning to steal over the surface of society. But much, very much more remains to be yet effected; the grosser infractions only have been checked; nor is it here that the leaders of this onward movement should consider themselves at liberty to halt.

We are far from being of those who would convert the Christian Sunday into a Jewish Sabbath, a notion which seems to have originated with the Puritans not more than two hundred years ago, and to have been for a considerable time confined to them; we will even go so far as to grant that "some who on Sundays will do nothing, on week days will do anything." We have never yet seen, nor is it likely that we ever shall see, a logical answer to Paley's or to Archbishop Whately's arguments, proving conclusively that, unless two Sabbath days be consecrated in the week,—the seventh as well as the first,—no divine command enjoining a ceremonial observance can be shown; we believe it to be matter of expediency only, but of expediency so high, that the pretermission of it is almost equivalent to the breach of an absolute law.

But we do not on that account urge the subject one whit less strenuously, seeing that such are not the considerations with which it is our province to deal. We advocate it on political grounds, as the first and mildest form of self-restraint, so happily termed "the parent of all virtues"—self-restraint, the least burthensome regulator to men in whom the spirit of independence has been nursed from infancy, and the most congenial to republican institutions. For it acts by imperceptibly accustoming the riotous and headstrong to a small coercion; by pressing upon their observation a difference and distinction of which they may have been not before aware—between a day kept with decency, and in the manner usual with themselves; possibly by even begetting a taste for the comfort and quiet happiness which they are thus obliged to witness.

No restraint on the liberty of the subject is implied by legislative interference, but simply that protection from offence which the conscientious are entitled to claim at the hand of the law. It is merely necessary to know where to stop. Let there be no more legislation in the spirit of the Blue Code of Connecticut, which, among other things, enjoins, that "no one shall run on the Sabbath day, or walk in his garden or elsewhere, except reverently to and from meeting;" which makes it criminal in a mother to kiss her infant on the Sunday; which strictly forbids the "reading of the common-prayer, keeping Christmas-day or Saints-day, making mince-pies, or

playing on any instrument of music, except the drum, the trumpet, and the Jew's-harp." The strong arm of the law has a right to interfere, only so far as to prevent open and flagrant violation of that day, leaving the rest to be carried out by the congenial feeling of the citizens themselves. Nothing is needed to rouse them but the example of a few, ready and willing to put themselves forward prominently in the cause.

That such interference is imperatively called for—that the evil is rife amongst us, beyond any Christian country that can be named, it were a waste of words attempting to prove. Who has not heard the question put, and the stereotyped answer returned: "What, are you at work on Sunday?" "Oh yes; California, you know." How pregnant with meaning is the expression? Could a bitterer or terser sarcasm be uttered?

**THE ELECTION.**—The election in San Francisco resulted as follows: Broderick, democrat, is elected Senator; Simpton, independent, Harbor Master; Benham, whig, District Attorney; Bennett, Wethered, Carr, whigs, and Hoff, democrat, Members of Assembly; Shattuck, whig, Judge of Superior Court.

**HYNCH LAW.**—An instance of this summary mode of dispensing justice, took place at Georgetown, while the election was going on. It seems that a man named Devine had taken to gambling, and, as he was in the habit of losing his money, his wife hid all that came into her possession. The day before the election, (Sunday,) as he had got "broke," he demanded the money which she had hid. She refused to deliver it, if he intended to use it in gambling, whereupon Devine threatened to kill her. As he seized his gun, she blew out the candle, and fled into the next room; he, however, discharged it at her. The contents passed through the door, and killed her. An enraged crowd, several hundred strong, assembled forthwith, set Devine on a horse, and rode him off to a tree. Here, they made him kneel upon the horse's back, put the rope around his neck, and drove the horse off, leaving him hanging from the branch of the tree.—*Sacramento Transcript.*

**LIBERAL OFFER.**—We are much gratified to learn of the interest that is being taken by the merchants in reference to the Independent Monumental Fire Company. We have seen a letter sent by Messrs. Winter and Latimer to the said company, donating to them five hundred dollars; which is the third proffer of the same amount by the merchants of this city.—*Journal of Commerce.*

**IMPROVEMENTS.**—We are delighted to perceive the activity which prevails in conducting the improvements of the city. The streets are being graded and the sewers laid, in a short time we shall be all prepared for the rainy season.

**ANOTHER INDIAN OUTRAGE.**—A party, consisting of eight Americans and ten Mexicans, were attacked lately, on the Stanislaus, about twelve leagues from Sonora, while on their way from the mountains, by a large body of Indians. The prospecting party immediately took to their heels, to save themselves, leaving one Mexican dead. The poor fellow was shot through the brain, by a rifle or musket ball, from the Indians; another came into town the next morning, badly wounded by arrows, one of which passed through the right arm, and a short distance into the side, and the other entered the right shoulder, where it was stopped by the shoulder blade. Our informant has reason to believe that the murderers are none other than the Indians who have been prowling about in this vicinity during the past three or four weeks.—*Sonora Herald.*

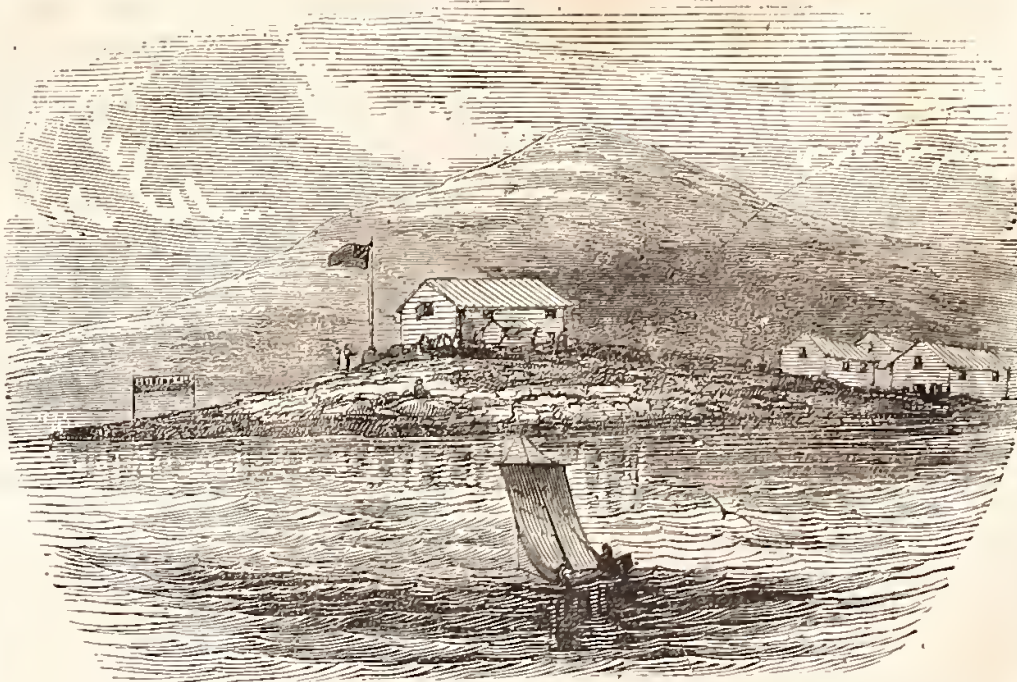
**COMFORT FOR SONORA.**—We have been authentically informed, by a gentleman who has just arrived from Carson Valley, that about eighty thousand emigrants have crossed the plains this season, and at least fifteen thousand of them will winter in and about Sonora.—*Sonora Herald.*

**THE SALARY BILL.**—The city council have passed the ordinance allowing themselves each the sum of \$200 per month. The Mayor has vetoed the bill, but the city fathers couldn't see the potency of his reasons, and therefore passed it into a law by a legal vote. *Sac. Placer Times.*

**PICK POCKETS.**—This breed of gentry seems to have become established in our good city of San Francisco. A gentleman of our acquaintance had his pockets picked last night of a handkerchief in which were wrapped several documents which can be of no earthly benefit to any person but the owner.—*Journal of Commerce.*

**PLANK ROADS WITH HORSES.**—It will become inevitably necessary, as the rainy season approaches, for the various equestrians and teamsters who throng our city, to have their horses substantially shod; and not only shod, but to have the shoes made with corks upon them. The dewy nights and mornings which we have recently had in our city, show conclusively the necessity of having animals shod, especially upon an inclined plane.—*Journal of Commerce.*

**BUTTE COUNTY.**—By a vote of the electors of this county, Hamilton has been fixed upon as the county seat of Butte.



VIEW OF HUNTER'S POINT, OR SOUTH SAN FRANCISCO.





A PLACER SCENE.

and strange population by which it has been invaded, might realize the fancy scene in the forest of Arden, where the melancholy Jaques

Lay along,  
Under an oak, whose antique root peeps out,  
Upon the brook that brawls along this wood;  
To the which place a poor sequester'd stag,  
That from the hunter's wound had ta'en a hurt,  
Did come to languish;

moralizing the spectacle into a thousand similes, and inveighing against the careless ingratitude of the world. But this brookside is no longer a place for the indulgences of the solitary dreamer; it has been seized upon by a hoard of adventurers,—practical, unimaginative, utilitarian, horny-fisted,—sweeping meditation and romance away before them, solely bent on compelling the free soil to render tribute at demand.

The transition is sudden and complete; from the vagaries of imagination to the matter of fact scene of stern, assiduous labor, taking no thought for the romance of the glens and glades. Gnome King, custodiary of hidden treasures, foregoes his peculiar seat; the parting genius of the brook is sent away to sigh; Naiads, Fawns, and Dryads are ousted from their ancient haunts;

With flower-inwoven tresses torn,  
The Nymphs, in tangled shades of twilight thickets, mourn.  
The stream itself, disturbed and muddied, has lost its jetty sparkle, having assumed the dull appearance which the labors of so many washers would convey to it.

All are busy at their several vocations; some

inspecting the pans with prying eye; some working the rockers, with as much interest as though their own flesh and blood were being hushed to sleep within; some bearing buckets of gold-spangled earth to the water; some handling the pick in the holes, as deftly as though they had been bred from boyhood to the business of grave-digging; and a few, for it is now drawing towards midday, drawing round the fires to prepare the frugal meal. This is indeed *work*, if ever work was done in earnest yet; no shirking, small indulgence in straightening the back, no cheating of the time: that time is money, we are all supposed to know, in a loose sort of way, but here every man has the full conviction of it objectively forced upon him. For it is a private party; every man here is working, not for a master, but for himself. Compare the clear, vigorous, ringing sound of the pick among the hills, with the dull blow of the crowbar in the hand of excavators and road-makers in government employ, listlessly raised a few inches from the ground, and suffered to fall by its own weight. The natural instinct of the American—the propensity to labor for himself, to shift for himself, to be independent of every man, even of an employer, if possible—which cannot, of course, be made so clearly manifest in the complicated society of the older States, where division of labor, that grinding effacer of all more nice distinctions, is working out its levelling effects—here reveals itself in full characteristic force.

In our last number, we entered upon the subject by representing a party "going to the mines" in the fresh morning of their hopes, elate with confidence, and making light of the difficulties which seem still to thicken as they approach the goal. In the present number, we reproduce them once again, the prospecting being over, the location chosen, and themselves in full career of labor; while in the following numbers, we shall endeavor to give most of the principal camps, bars and gulches in turn, with the history of their discovery, and returns, so far as it may be possible to approximate, of their comparative yields.

The original of the above very spirited sketch was drawn by Mr. Longfield, during an expedition among the Northern mines, undertaken with a party of six others, five of whom never lived to complete the tour.

The landscape itself, taken apart from the new





SITE OF THE OLD MEXICAN FORT.

On a bold and precipitous bluff, which presents itself to the view of the inward-bound ships as they enter the head of our magnificent Bay, stands an old Spanish or Mexican fort, of which the above cut gives a representation, taken from the road which leads to it from the presidio, or garrison, of which we gave an accurate sketch in our second number.

From the dilapidated state of the parapet, and materials which compose it, we should ascribe considerable antiquity to its origin, or else infer that it must have suffered from some hostile assault, probably in one of the many revolutionary conflicts of which California has been the scene. The materials, however, of which it is constructed, are of good burnt brick, and not of *adobes*, as is the case with the Presidio; but on the whole, as a specimen of fortification, the masonry is certainly as frail and contemptible as any enemy could wish.

The platform, or circle of the fort, is about thirty or forty feet in diameter, and on its battlements there is space enough for upwards of six large guns. If properly repaired and mounted, this battery would

be an almost impregnable fortress, *from the sea*, and could defy the entrance of an enemy through the straits of San Francisco Bay.

The promontory on which it stands must be upwards of two hundred and fifty feet high, and, towards the sea, it presents a perpendicular wall of adamantine rock, at the foot of which roar the breakers of the everlasting swell which rolls on from the broad Pacific. About two and a half miles further on is Point Lopez, so called from the vast number of sea lions which may be seen at any time, sometimes indulging in uncouth gambols, sometimes waging desperate warfare among themselves beneath.

It seems to be the intention of our Ordnance department to build another fort, a little in the rear of and commanding the old one, which lies completely exposed to an assault by land. The site of it was laid out by Captain Warner, of the U. S. Engineers, the same who was so unfortunately killed by the Indians, while in search of a convenient pass through the Sierra Nevada.

The view from the fort is very magnificent on a clear day; while the route from the town, seemingly scarcely known, or at all events appreciated, is charming, being a good firm track nearly all the way, and affording one of the pleasantest excursions around. We think a pilot station ought to be established at Point Lopez, and a signal station at the fort.

**THE MOUND RANCH.**—Situated on the bank of the Merced river, is a fine and beautiful settlement, which goes by the name which heads this paragraph. The ranch alluded to is owned by a Mr. Scott; a gentleman of rather reserved habits, until one becomes acquainted with him, when he will be found extremely sociable. The nicely built, but snugly finished cabin, reposes beneath the shade of about a dozen huge oak trees, whose enormously branching arms cast a wide and refreshing shadow over the homestead and surrounding out houses; whilst directly in front of the door, is one of the coolest and most refreshing wells of water in that whole section of country.

The mound that gives its name to this beautiful place, is grand and beautiful in the extreme, although looking bare, dreary and desolate, situated, as it is, apart from all kindred elevations of the hills or prairies. This mound, of some ten acres in extent, rises from a vast plain of many miles in width, and of some twenty-five or thirty in length. It rises with a gentle ascent, to the height of some thirty feet, without a single pebble or boulder upon its grassy slope, when, suddenly springing, as it were, from its very bowels, rises a perpendicular wall of sandstone to an altitude of some ten feet higher, all composed of square blocks, as though taken from the quarry by artificial means, and laid, regularly, one upon the other, with almost the same mathematical precision as though put up by a modern mason. There has been much discussion, of late years, upon the origin of mounds and Indian relics in the valley of the Mississippi, but we believe that none have been, as yet, examined, east of the Rocky Mountains, possessing the same peculiarities as the mound of the Merced. Cannot some of our learned antiquaries give us a dissertation upon the subject?



**SCENE IN SACRAMENTO CITY.**—The opening night of Dr. Collyer's model artists, last week, at the Pacific theatre, on M street, was the most brilliant affair of the season. Long before the doors were opened, crowds gathered round the building, and before the curtain rose, the dress circle, parquette and second tier presented an array of beauty and fashion, scarcely to have been met with in any city of the Union. The theatre itself is a perfect gem, tastefully and elegantly fitted up, the dress circle being provided with the most luxurious cushions, it requiring but a very slight stretch of the imagination to fancy yourself reclining on the richly appointed seats of the Broadway, or the Astor Opera House. A somewhat comical incident occurred at the commencement of one of the *tableaux*, creating roars of laughter, accompanied, as is usual on such occasions, by sundry yells, hootings, &c. The leader, a little, stumpy, short-cropped German, began by playing the air of Yankee Doodle, instead of one of a more plaintive nature, when Dr. Collyer very quietly walks down the aisle, to correct the mistake. This was taken by the infuriated German in great dudgeon, replying that he'll see the Doctor d— first. The Doctor then jumps on the stage, endeavoring to explain to the audience the dilemma; the people applauding, hissing, and making sundry requests to "turn him out—go it, Doctor!—hear him—take off the drapery—go it, sonr kront—down mid the fiddle!" and so on, till, at length, the Doctor delivered himself of the following: "Ladies and gentlemen—Requesting the leader to play a more suitable melody than the one he was rendering for the last tableau, he replies that he will see me d— first. In this he has insulted *you*, gentlemen, and not *me*"—and the Doctor coolly sits on one of the proscenium boxes, and up jumps the little German, with both arms stretched out, one holding out his fiddle, and the other his bow. Here the most frightful noise occurred, until, above the din, he (the little German) managed to cry out: "Ladies and gentlemen, I have not *consulted* you—" and this was all he was able to get off, for the house fairly rang with laughter, and cries and hootings of every nature and style. There stood the German, a perfect fixture; when on walks the big and splendidly proportioned Irishman, Mr. Donophan, who, dressed as Jupiter, clapped his hand in the most theatrical and striking manner on the shoulder of the affrighted leader, pointing with the other to the orchestra, and looking at him dead in the eye, told him, in language louder than words, to take his seat. This was enough. Turning as pale as a sheet, and looking small daggers at his celestial majesty, he sulkily resumed his place among the players, Jupiter receiving the cheers of the delighted audience, and bowing himself off in the most approved manner; after which the Doctor very happily remarked, that his cause must have been just, for one of the *gods* to have come to his assistance. There must have been over \$1500 in the house, and it is quite likely the Doctor will net here some 8 or \$10,000. He told us yesterday he had written by the last steamer to Jenny Lind, offering her \$75,000 for twenty-five representations. He will do well.—*Correspondence Picayune.*

**MARIPOSA DIGGINGS.**—News from the Mariposa represent the parties engaged in mining in the quartz rock, as meeting with great success. A large quantity of the rock has been taken out, broken up and separated, and the yield surpasses anything ever dreamed of. It is proved by actual working, that the quartz pays better, on an average, than the richest washings in the whole mining region.—*Stockton Jour.*

**AUTUMN WEATHER.**—Yesterday was one of those long, bright, golden days, such as belong to the fall of the year. The fierce heats and chill winds of summer here, are past; and, for a brief period, we now enjoy, in common with all in north latitude, the delightful season of the harvest moon! What feelings does this call up in the breasts of many a pilgrim in California!—*Pacific News.*

**CHOLERA IN STOCKTON.**—We learn from Mr. Todd, of the Express, that two cases of cholera had occurred in Stockton. One was a passenger on board the Sutter, and the other, pronounced fatal by Dr. Ashe, was a citizen of the town.—*Pacific News.*

**FROM THE PLAINS.**—By a private letter, which we have been favored with through a government express, we have received dates from Fort Laramie of July 25th, from which we make the following extracts:

"The gold diggers have all disappeared amongst the Black Hills, with the exception of now and then one, who makes his appearance, looking as if he was lost, or rather expected to be too late to tea. The Mormons are now pushing along, one hundred wagons having passed to-day. There will be about eight hundred and fifty Mormon wagons that will go out this season to the valley of the Salt Lake. They will average about four persons to the wagon.

"The supply train for the post was expected in about five days, and the train of Livingston & Kincaid, for the Salt Lake, was also expected in a few days."

Col. Sumner, with his detachment of fifty men, was to leave the Fort on the 26th for the Arkansas, where he will meet the remainder of the command. From the above, we suppose the court martial, lately in session there, had got through and dissolved.

The vicinity of the Fort, on the night of the 24th, was visited with a violent storm, terrible even for that open and exposed country. The writer thinks old Noah's shower wasn't a patching to this, so long as it lasted.

A postscript to this letter gives us gloomy accounts from the overland emigrants. It says: "One or two men from Oregon reached here two days ago, and represent that the emigrants already begin to sniffer greatly, chiefly for the want of provisions. A large number of their animals have died this side of the South Pass, and many of the emigrants are now on foot." The writer goes on to express the most gloomy apprehensions as to the condition of many of them in crossing the Sierra Nevada, and concludes with the remark that he "expects to hear such accounts of their sufferings as will make all good Christians say their prayers." As the writer's means of knowing the condition of the emigrants were ample and intimate, we attach much importance to his expressions, and shall look forward with great solicitude for further intelligence.—*St. Louis Republican.*

**WHAT DOES CALIFORNIA NEED?**—With gold in her placers, mines in her mountains, ships in her ports, energy all through her border, riches lying dormant in her prolific soil, intellect abundant in all departments, wealth in all professions, hope in every thing, what more can she want?

Many things. She may have all these and yet lack every thing that makes man's true happiness.—She wants to be in the Union or out of it, that she may know what are her rights and privileges. Now she is a minor at law, although full grown, whose uncle, as administrator, is keeping her out of her birthright. Let the suit be decided, and give her or deny her her heirship at law.

She wants also, as we have said before, good officers; judges, wise, learned and just; clerks, intelligent, industrious and experienced; attorneys, able, firm and eloquent; senators and representatives of tact, of reading, of observation, of clear heads, true hearts and pure hands, who have the ability and the will to do, who have an interest in California beyond the honor which public office and pecuniary reward can give, who know what is the condition of the country, the character of its citizens and what are its necessities. She wants a school system, founded upon common sense, experience, necessity. She wants an efficient superintendent, and good, able and conscientious teachers. She wants the establishment of literary societies, and places of reasonable amusement and resort, instead of the sinks of sin and debauchery, the "sepulchres, painted" and foul, the "hells" where souls and bodies are now ruined.

She wants the society of ladies, of women and children, without whose presence there is no such thing as home, and but precious little chance of virtue or honor. She wants public libraries and reading rooms, and literary and scientific lectures. She wants a thorough survey of her territory, under patronage of the State, and many other things which we have not time just now to touch upon. Especially does she want less selfishness on the part of her people; but the possession of the above items will help to improve that article.—*Marysville Herald.*

**ARTICLES FOR THE CALIFORNIA MARKET.**—Past experience will doubtless teach shippers in the United States a salutary lesson in regard to sending to this market the refuse of the workshops, and goods of every description which were unsaleable at home. Any losses they may have suffered have been richly deserved, and they will have the excellent effect of preventing haphazard shipments of any and every species of trumpery such as have glutted this market, and tended, in no small degree, to embarrass consignees and dealers in this country. Shippers in the United States have begun to learn these facts, although very few of them yet have any but the most extravagant views in relation to California. We are glad to learn that recent shipments are much more select than former ones. We may expect that now the regular merchants will fall into the business that has in some measure been monopolized by amateur shippers and adventurous mercantile experiments. A few of the latter, in the first flush of lavish prosperity, made fortunes; but many have lost what they first realized, by hazarding the experiment too often.

Consignments of substantial merchandise will almost always find a fair market in this country, from this time forward; but it is vain to expect any longer the enormous profits once realized, and it is equally vain to anticipate any thing but a loss from ill-assorted, motley, and worthless shipments.

There is reason to believe that most of the merchandise that is sent across the Isthmus is good and serviceable, as it would be extreme folly to send goods of inferior quality by so expensive a route.—The tediousness of a voyage round the Horn is beginning to be seriously felt. From six to seven months is the shortest period in which orders can come back by way of the Cape, and that is longer than the fluctuations of this market will permit any body to look ahead. The comparative difficulty and expense of the route across the Isthmus is from this cause beginning to be disregarded. If, under these circumstances, and considering the increasing trade of this country, there be not a railroad across the Continent at some point before the lapse of two years, it will be because there is some natural insurmountable impediment.

Several of our first merchants are receiving goods across the Isthmus by every steamer, and this mode of transportation will come into more constant use every month. There are, we believe, nine steamers now being built for this coast, and when they are put on the line, the shipments round Cape Horn will greatly diminish. There are three routes open—Panama, Nicaragua, and Tehuantepec, and soon the tide of commerce will work itself a smooth channel from sea to sea at some of these points.

The trade to this port from those of the United States, being thus carried across the Isthmus, the articles shipped will doubtless, even from this cause alone, be of better quality than those hitherto generally sent around Cape Horn.—*Herald.*

**GREAT AND ASTONISHING DISCOVERY.**—To which the attention of the public is invited, particularly the mining community. There will be exhibited in Sonora, in a few days, Prof. Alberto Galbrialdo Turonski's wonderful patent Hydro Electro Magnetic Goldometer, which embraces not only the mysterious agency possessed by Prof. Fletcher's Goldometer, of pointing out the golden treasures of the earth, but combines a principle contained in Dr. Espies theory of producing rain, by means of which, either upon the highest mountains or on the most arid plains, wherever the presence of gold indicated by a most wonderful and astonishing affinity, rain in copious abundance can be had, and with these two inexplicable agencies under their complete influence and control, there is combined machinery for excavating the earth and extracting therefrom its golden particles, which are increasing until the golden particles are all extracted. It requires no manual labor to put it in motion or to aid it in its operations—it has but to be carried from one place to another until the indication of gold is had—then placing it level six inches from the ground it commences its wonderful operations and ceases from it not until its labor is completed. Prof. Turonski will visit the principal mining districts of California, where the operations of his machine can be seen.—*Sonora Herald.*





THE NATIVE CALIFORNIAN.

•FIRST DISCOVERY OF GOLD.—Monday, May 29, 1848. Our town was startled out of its quiet dreams to-day, by the announcement that gold had been discovered on the American Fork. The men wondered and talked, and the women too; but neither believed. The sibyls were less skeptical; they said that the moon had, for several nights, appeared not more than a cable's length from the earth; that a white raven had been seen playing with an infant; and that an owl had rung the church bells.

June 5. Another rumor reached us this morning from the American Fork. The rumor ran, that several workmen, while excavating for a mill-race, had thrown up little shining scales of a yellow ore, that proved to be gold; that an old Sonorian, who had spent his life in gold mines, pronounced it the genuine thing. Still the public incredulity remained, save here and there a glimmer of faith, like the flash of a fire-fly at night. One good old lady, however, declared that she had been dreaming of gold every night for several weeks, and that it had so frustrated her simple domestic economy, that she had relieved her conscience, by confessing to her priest—

"Absolve me, father, of that sinful dream."

[Colton's Three Years in California.]

GRAND FESTIVAL.—The annual festival of the establishment of the Mission of Dolores, commenced on Saturday, and continued three days, with bull fights, fandangos and barbecues. Let the lovers of religion and humanity read and weep: on Sunday morning, grand mass was celebrated in the church, and in the evening a grand bull and bear fight came off!

We have here a faithful representation of the two most characteristic classes of California, drawn as companion prints; the Mexican,—not him of pure Castilian blood, but of the peculiar country breed, dashed with a cross of the Indian,—and the American miner.

Mark the contrast between the outward form and semblance of the men, faithfully typical of the corresponding mental qualities within. The one, dapper, spruce, and finished in equipment, *tire à quatre épingles*, all jingle and glitter, rings on his fingers and bells on his toes, framed

By nature  
To caper nimbly in a lady's chamber,  
To the lascivious pleasing of the lute;

ready and anxious for his fandango, from matins to even-song, and from even-song again to cock-crow.

At first sight, the finer form, and the more graceful outline of the Mexican show to greater advantage; but to the practical eye, there is more to dwell upon in the rough, half bawn, knotty limbs of his companion. The latter is, emphatically, a man; a true *terra filius*, dogged and determined, able and willing to do sturdy battle with fortune, and take it as it comes, where the other would be content

To daff the world aside,  
And let it pass;

relying for aid upon himself alone, and upon his trusty rifle, but never, for an instant, losing sight of the one main chance, the insurance of a competency for his declining years; centering his professional pride, not upon expertness with the lasso, upon dashing horsemanship in sight of the girls, or heavy plated stirrups that might serve as skates for Garagantua; but upon the gradually swelling rotundity of the leathern pouch that hangs by his side, in which, grain by grain, his gatherings are accumulated.

Is not the short pipe of the one, potent and effectual in narcotism, compared with the light, evanescent cigarillo of the other, affording some half dozen of whiffs at the most, and those, as if in derision, exhaled through the nose—is not that alone, to an associative mind, suggestive of a train of thought, that involves all the material distinctions between the men that these little machines of luxury belong to.

EX-GOVERNOR SHANNON ON CALIFORNIA.—We find, in the St. Clairsville (Ohio) Gazette, an interesting communication from Ex-Governor Shannon, who is now in California. The letter bears date June 28th, 1850, at which time the writer was just recovering from a third attack of sickness, encountered since he had arrived in the country, and he expresses a great desire to get, as soon as possible, out of what he ironically calls that "Italian" climate. He says that he has lost all confidence in its salubrity, and sees too many around him who are suffering from its effects, to recommend it as healthy. He is of opinion that the people in the States are deranged with regard to California, and must believe implicitly in all that is said and written about it as a land of enchantment. He declares he has never seen anything like a correct representation of the country in any newspaper, book, or report, and that no one writes accounts of it except lot and land speculators, traders and gamblers; whose descriptions are all interested, and contain not a word of unvarnished truth.—New York Star.

CALIFORNIA GOLD.—The amount of gold from California received at the port of New York, from the 1st of January to the 1st of July, 1850, (regularly entered and imported at the custom house,) was \$9,888,000. The estimated quantity in the hands of passengers, of which no account is rendered at the the custom house, during the same period, \$3,780,000. Ascertained and estimated as total receipts for New York for six months, \$13,668,000.



THE AMERICAN MINER.

SACRAMENTO BEAR HUNTERS.—A yarn in the Placer Times tells of a party of gentlemen from Sacramento city, who climbed a tree to wait for a bear, some two or three hours before he came in sight or hearing; but, unfortunately, left their guns standing leaning against the tree, while they were above, waiting to shoot him *empty handed*. What were they thinking about when they went up?

PERMANENT SEAT OF GOVERNMENT.—Some men who may have lots or interests in San José, San Francisco, and other small towns in California, advocate zealously the location of the capitol where they have the greatest number of lots, or the largest interest. We do not blame any man for working out his own pecuniary benefit, provided he does not walk too deeply into the pockets of the people. We have no lots in California—can speak boldly our sentiments on this subject. We go for Vallejo's proposition: 1, because the position is as nearly central, and more easy of access at all seasons, than any that we have knowledge of; 2, because three hundred and seventy-five thousand dollars given to the people is better than a million taken from them by taxation, &c. Gen. Vallejo proposes to do for us what would, should his proposition be rejected, take from us a million and a half of our hard earnings.—Men, Voters, Freeman! You decide that question on Monday. Be true to yourselves—be true to California! Vote for Vallejo—save your money—prevent the damnation of over-taxation. A wink is as good as a nod—a short sermon sooner read than a long one. Marysville Herald.



**SQUATTERS.**—The Placer Times, of last week, makes the following remarks: We did trust that the day for inflammatory appeals to the passions and prejudices of our citizens had passed; that the public mind might be suffered to repose, and that wounds received might be permitted to heal rather than again be torn agape. We must confess that we were surprised not a little in perusing a placard, inferior in vindictiveness to none that have heretofore been issued of the kind. The placard alluded to is addressed to settlers and others, and is an attempt to revive, at our coming election, a state of feeling to which our city owes the recent calamity which has befallen her. After asserting that peaceable citizens have been killed in cold blood, others thrown into prison on charge of murder, without any grounds to justify such a step; and in fine, that such atrocities have been committed as to place the alleged authors beyond the pale of humanity; it winds up with an appeal to voters to support the following candidates, because they are capable men: E. H. Tharp, Clerk of Supreme Court; E. B. Cone, Attorney General; William C. Wallace, District Attorney; C. W. Butterfield, Superintendent of Public Instruction; J. H. McKune, Senator; for Assembly, Messrs. Carrico, Patterson, and Robison. Now we regret this; we regret it the more, because we here see names of men who have heretofore maintained a neutrality (to say the least) in the subject-matter of this card. Our knowledge of the parties in question will not permit us to believe that they subscribe fully to the statements set forth, nor do we think they have sufficiently considered the assertions there made; but rather, that in their eagerness to secure an election, they have, disregarding those honest and manly principles which should always characterise the representatives of the people, not scrupled to truckle to a cabal, and engage in a disreputable huckstering for the votes of a faction. The following is the squatter document:

"Settlers! Miners! Republicans! under what rule will you live? It is well known that a few individuals have seized upon nearly all the arable land in California, and pretend to hold the same by color of Mexican grants, some of them without the shadow of right. Acting upon the principle that a wrong enforced is equal to a right acknowledged, a few heartless speculators have seized upon the land in Sacramento county, and, by color of an incipient Mexican grant to one John A. Sutter, of eleven leagues of land, situated above the confluence of the Sacramento and Feather rivers, they are claiming more than three times that amount, entirely without the boundaries within which said grant was restricted, and without the least color of right, are now, by means of a series of unjust decisions in inferior magistrates' courts, under laws (as their attorneys assert) made expressly for the occasion, distressing the actual settlers by vexatious lawsuits, compelling him either to abandon his home or compromise his rights, by paying high prices to individuals for public land. These speculators, styling themselves the "Law and Order Party," have been the grossest violators of the public peace. With a mercenary force, they have attacked the houses of peaceable citizens, scattered and destroyed their effects, and beat the unfortunate inmates without mercy. They have, with impunity, prowled about the streets by night, leaving destruction of property in their path. They have furiously assailed a company of citizens as they were quietly passing to their homes, having injured no one and intending no injury—shooting down some, and throwing others into prison, with the charge of murder. They have attacked a public house without the least provocation, butchering in cold blood some of the inmates, and driving, severely wounded, the landlord and husband from the bedside of his dying wife, never to see her more, to perform the last sad offices of love. Their course has been marked with distress and blood, and their history will be written with the tears of those they have oppressed. With characteristic impudence, these men are now asking the people for office. Shall they longer bear rule? A meeting of delegates, representing interests opposed to this misrule, met at the house of A. J. Patterson, and nominated the following gentlemen for the different offices, (see list above). They are capable men."

**A SHARP MULE TRADE.**—The Stockton Times says, "We have been threatened with a *milling* if we relate how a friend of ours traded once for a mule; but *milling* or no *milling*, *willy nilly*, here goes to tell the how, even if we do get for it a 'hit out from the shoulder.'"

In 1846, a very pleasant party of Americans, among whom were Edward Bryant, the author of "What I saw in California," George L. Curry, formerly of the St. Louis Reveille, Col. Russell, our fellow-citizen Benjamin F. Lippincott, and several others, started from Missouri, on a journey to the Pacific. When they had progressed some distance outside of the white settlements, our friend Ben F. fell in with a Missouri emigrant, with whom he struck up a trade for an elderly family horse, which, to all appearance, looked as if he could stow away a small sized haystack in his provender apartment. For this animal Ben gave two dollars, and a pistol which cost him five rials.

He was very proud of this trade, for the critter moved along easy as a cradle; wouldn't go any distance from camp; was easily caught when he was wanted; and altogether, was a very convenient kind of nag. Ben began to get proud of him, and bobbed his tail and roached his mane. This made the family horse look like an Indian pony—and Indian ponies were favorite animals on the prairie.

A few days after the purchase, Ben and Mr. Bryant started to see the curiosity called the "castle," a natural formation, which resembles the ruins of an ancient feudal mansion, and which has been graphically described by Bryant. On the road there, they had to cross a small, dark, sulphurous stream, which flowed over a bed of quicksand. As soon as Ben's old horse found himself sinking in the stream, he stood stock still until his capacious paunch touched bottom, when, with a grunt, he surrendered himself to his position. An hour's hard work liberated him, and in no good humor, the two returned to camp, without enjoying the pleasure of an inspection of the castle.

When Ben reached the balance of the party, his old horse run up against one of the wagons, and, to his surprise, he found that the old nag was stone blind! While sitting at the fire, after this discovery, trying to soothe his ruffled feelings with a pipe, along came two strangers, one a Missouri trapper, and the other a Shawnee half-breed. The former was mounted on a fine looking grey mule.

"Good evening, gentlemen," saluted the trapper, "how ar you gittin' along, eh? Don't no gentleman in this *yur* crowd want to trade animals?"

Bryant directed his attention to Lippincott, who was seated by the fire, wrapped in a perfect cloud of tobacco smoke.

"Stranger, let me hev a look at you," said he, blowing the smoke away from Ben's face. "Well, you look natral, and kindly; and you're jest the varmint I want to *obleege*, with a critter that can travel to sundown 'thout gruntin' once't."

"Go away," said Ben, in a surly tone, "I don't want to trade."

"But I do, stranger," said the trapper, "and thar's jest the pint I want to bring you to. Let me take a few draws of that thar pipe, *if* you please."

Taking the pipe, he began deliberately to clean the stem with a straw.

"I have no animal but that pony," said Ben, pointing to his Rosinante, "and he is a family horse—goes like a cradle; endures fatigue like an Indian; can stow away three days provender in his hay-basket at one time—and I don't want to part with him."

"But jest look at the pints of that mule," said the trapper, who by this time had got the pipe going, "there's beauty of build; limbs like a hooded four mile and repeater; a nostril what takes in air enough, each suck, to fill a baloon; and an eye like a vicious gal. Ef I war'nt goin' into the settlements, I'd see you in —, stranger, before I'd think of tradin'."

"The girls on the road fell in love with me," said Ben, "whenever I let them ride that pony."

"I wouldn't give shucks for him," said the trapper, "ef I didn't want him for my squaw. You ain't got no objection to my tryin' the critter?"

"Not at all," said Ben. The trapper *did* try him, and as long as he paced round camp, where the old pony could smell the other animals, he moved beautifully. Halting opposite Ben, and still astride of the pony, the trapper inquired:

"Say it out, now; what will you do? Thar is no use disputin', but this critter's mine."

"Give me *five dollars* to boot, then," said Ben, "and take him."

"It's a whack, stranger, and thar's the *brass*," said the trapper, tossing a five dollar piece to Lip, who put it carefully in his pocket.

"Whar wur you born, stranger, ef I might ask the question?"

"A few miles east of the Alleghanies," said Lip.

"Well, I thought so," said the mountaineer, "you are so *cussed* sharp on a mule trade."

"Where was you picked up?" inquired Ben, in his turn.

"Well, I aint sure," said the trapper, "but I reckon I was kittered in a buffalo robe, and brought up on the prairie."

"You are a judge of ponies, I suppose," said Ben. "A *lecble*, stranger," was the reply.

"Then don't hurry that purchase of yours, if he aint willing to go, for if you do, he'll lie down," said Ben.

"Well, I'll coax him," said the trapper; "I reckon it's an even trade, anyhow, for that mule has an awful trick of kickin' a fellow's hat off when he's hurried; but he wont do it twell he gets that sprained fore shoulder well."

Ben put his finger on the near fore shoulder, and the mule winced as if he had been touched by a hot iron.

"When you feed that pony with shavings," said Ben, "you needn't put green spectacles on him to make him believe its grass, for he can't see the difference without them."

"What, not *blind*!" exclaimed the trapper.

"Well, I aint sure," said Ben, "but he couldn't see a four-wheeled wagon about an hour ago."

The trapper took up a lighted brand, and held it to each eye, and the old fellow stood as "immovable as the marble statue on the gates of Altorf."

"Done for, *by thunder*!" exclaimed the trapper, and, throwing his leg across the pony, he tried to get out of hearing of the roar of laughter which broke forth from the company. The old family horse didn't like to leave his friends, and it was with some difficulty he forced him into his easy canter. As he got fairly under way, however, the trapper shouted to Ben, "Jest drink my health out of that gold piece, will you, you d—d sucker?"

"Certainly, in *green* glasses," responded Ben; and a shout echoed after the Missouri trapper as far as he could be seen upon the prairie.

"Pretty good," said Ben; "got the value of my pistol back, and the two dollars, besides two more, three rials and a tolerable mule—that is the way to trade, boys," added he, pulling out his *gold piece*, when lo! on examination, it proved to be *brass* indeed—a most villainously bad *counterfeit*!

We needn't add that there was another laugh, and at Ben's expense; and to this day he owns up that the Missourians are a little too sharp for him in a mule trade.

**ORIGINAL.**—A friend of our own, complaining of the intense laziness of his partner, made use of the following pithy expression: "When I work hard, he gets tired."

#### MR. ARMSTRONG'S BOARDING HOUSE.

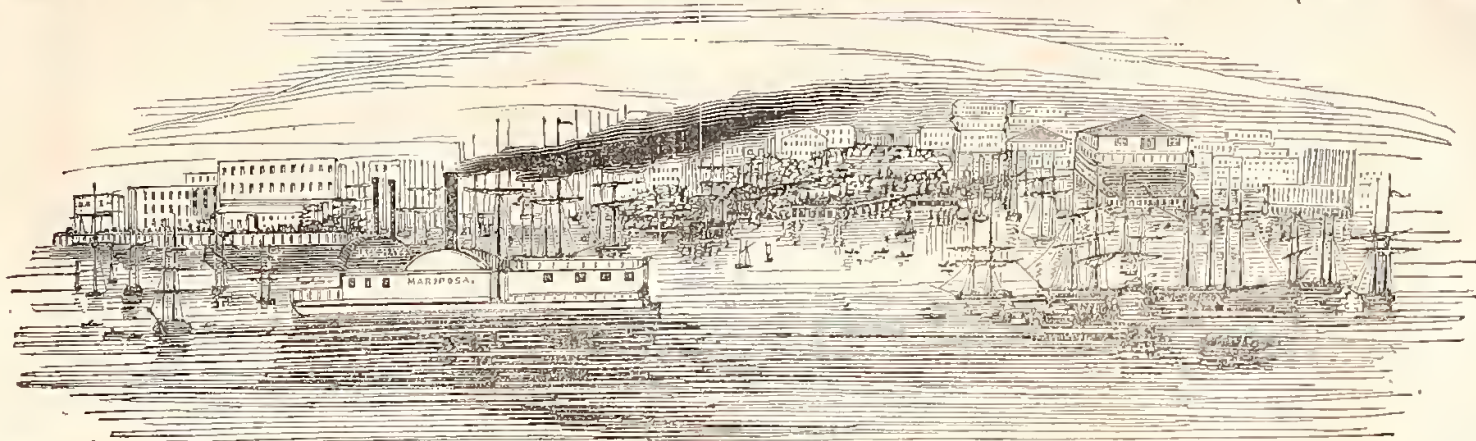
THIS quiet and comfortable Boarding House is situated at the extreme south end of Montgomery street, opposite the Chinese House; combining the advantages of town and country, being actually contiguous to both on either side. The careful regard to respectability with which this house is conducted, has hitherto ensured it a superior class of visitors, whose permanent stay it is the policy of the proprietor to ensure by the most unremitting attention to their comfort, and by never letting pass an opportunity of increasing the satisfaction which they have already been pleased to express. For the amusement of those who are musically disposed, a piano forte and seraphine, imported by the proprietor, have been placed upon the premises. TERMS, \$10.00 per week.

#### JOHNSON'S DAGUERREAN GALLERY.

GEORGE H. JOHNSON begs to apprise the public that he has opened a Gallery, on the North side of J street, between Third and Fourth streets, in Sacramento city, to which he respectfully invites the attention of all who will favor him with a visit, whether they be intending sitters or not. The rooms are fitted up expressly for the purpose, a skylight having been introduced, and various important alterations made to insure the success of the operation. He will undertake to engrave his Daguerreotypes equal to any taken at the best establishments in the States. A large assortment of Frames, Cases and Lockets constantly on hand; also, a Daguerreotype Apparatus, Chemicals, &c.



# THE ILLUSTRATED CALIFORNIA NEWS.



VOL. I.

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Illud non agitur, ut sanctum filius omni  
Adspiciat sine labe domum, vitioque carentem.  
JUV.

In our second number, we took a cursory view of the motive agencies which are at present bearing most strongly on the future prospects of the country, and the character of its rising population, promising to develop them more fully, each in turn.

One of these, and one of the most remarkable, is of a negative character. We allude to the absence of those softening and healing influences which are generated, like a continuous stream of galvanism from the voltaic pile, by family ties. That in every newly colonized country, there should be a strong numerical preponderance of male adults, loose upon the land, without incumbrance, and consequently without any restraint upon either passions or actions, beyond that which is attempted to be exercised by the law, is no more than a matter of course; but as a question of degree, it is notorious that the evil, with its manifest effects, has never yet, any where, reached to such a height as in California. Never were the bonds of society more loosely linked than here; nowhere do strong temptations more abound; seldom has been the disposition to rebel, not only against morals and religion, but even against civil rule, been more pointedly manifested. And against the further increase of this evil, family influences alone will be able to offer efficient security. "He who has wife and children," says Chancellor Bacon, "hath given hostages to fortune; for they are im-

pediments to great enterprises, either of virtue or of mischief." That is, they are restraints, interfering, to a certain extent, with clear freedom of action, inasmuch as that they oblige the possessor to the exercise of caution and providence in his proceedings, in a greater degree than the totally untrammelled man might be content to submit to. But the holy and blessed ties of family imply a greater and more important restraint than even this. Is it not from the *Domus*, the paternal home, that all our early-stamped impressions of rule, of orderly obedience, of respect voluntarily conceded, of the desire to be paid respect in turn, that main inducement to deserving it—germs of the feelings which, at a later period, actuate the good citizen in his relations with the State—is it not thence that they are derived, there that they are nurtured and maintained in freshness of vigour through the silent influence of habit?

Are not our soundest lessons in political education—the art of governing by love and influence of character, rather than by harsh and crude enforcement of half digested ordinances—to be traced up to the schooling received in the home of our childhood, even as the first institution of national law is resolved into a mere extension of patriarchal authority?

Is not the family, in the present social condition of the free portion of the world, the main guarantee, the very sheet anchor to the stability of the State? In the present general powerlessness of government—i. e., in the scanty concession of arbitrary authority to the executive—as contrasted with its ancient force, is it not the one great counterpoise to unscrupulous ambition, to insubordination of passion, to the means of agitating the public mind through the press, and even to the talents, eloquence and influence of those adventurers of society, who are constantly, at every hazard, even of the peace of their country, at every sacrifice, even of their own happi-

ness or their own lives, determined to force their way to distinction or to wealth. It is upon the solid and substantial weight of those whose family ties bind them to social order that we must depend. The husbands and the fathers, whose wives and children are hostages for civil peace, are the really important citizens—the *Triarii* in the legion of the State. The youth who is loose upon the world is an anarchist by nature; he has all to gain and nothing to lose by political convulsion, nor is it in nature that he should eschew, or even refrain from creating such chances of bettering himself in the general crash. And against this ceaseless, weariless, ever fresh and vigorous agency, our guarantee is the family—the family bound together by strong love, and consciously holding its happiness upon the tenure of public order.

On one other motive agency, closely connected with that of family ties, it were almost needless to enlarge, as being trite and self-evident, now-a-days at all events, whatever it may have been during the first five millennia of the world. Yet would our disquisition be scarce complete without a few passing words upon the subject. We allude to the influence of Woman upon society—that influence so peculiarly characteristic of the modern or Gothic as contrasted with the classic form of civilization, which took its rise, partly in the fascinating extravagances of Chivalry, partly in the peculiar respect which the Christian Priesthood, in memory of the stable at Bethlehem, were in the habit of paying to the sex.

It is to the silent growth of female ascendancy alone that we can venture to look for the diminution of intemperance—that master-curse of the country, the poisoner of two generations in one, of the drunkard himself, and of what is begotten by the drunkard;—through that influence alone can we expect the substitution of habitual courtesy for that dangerous



boisterousness, which amongst too many, is ostentatiously cultivated, as a manifestation of independence; it is to them that we must look for bringing about, or to speak more strictly, for completing in the New World what they have already effected in the Old—the gradual disuse of offensive weapons, and with that the avoidance of those sudden quarrels and chance-medley riots which we now see teeming around us on every side;

So easy 'tis to appease the stormy wind  
Of malice, in the pleasant calm of woman-kind.

Men will suffer themselves to receive lessons from their own mothers, wives, and sisters, which they would laugh to scorn when inculcated by less gentle expositors. Of such paramount importance do we believe the early equalization of the sexes to be, that we could almost venture seriously to affirm, that a parallel to the Sabine rape, could the material be met with, would be a great political stride in advance,

"But what, after all," may be fairly asked, "is the object of this dissertation? No one is likely to impugn its validity of position, the strength of which must be allowed on all sides; but exhortations concerning a want which our citizens have not means to supply, are idle at the best. Until the civil authorities are empowered to kidnap, import, and

compel the residence of families, for any practical purpose, rhetoric may be spared."

It is very true; they have not the power to compel that residence; but this much they have the power to do—to remove the present manifold obstacles to their advent—to make the country fit for them in reception when they do come.

No one can fairly affirm the country to be yet fit for that reception. Risks which would be but feathers in the balance to the men themselves, they will resolutely and rightly decline to face where their families would have to share them. Quiet and security—together with what will inevitably be engendered by a period of quiet and security—a general softening of manners, and respect for those urbanities of society which smooth away so many difficulties in the older States, these are imperatively called for before we can venture to expect this panacea for our impending evils.

Some minor impediments there are indeed, for which our authorities are not responsible, which time only can remove. One of these, and one of the most influential, is the difficulty of obtaining domestic help. As yet, we are all officers, and no soldiers; every immigrant setting foot on shore with the avowed intention of "working on his own hook"—

of laboring directly and immediately for himself. That this evil will eventually cure itself, is certain; it cannot endure, because it is unnatural,—contrary to what Philosopher Square would call "the eternal fitness of things,"—repugnant to the ordinary constitution of society, which demands division of labour; but the change can scarcely be expected until a season of hardship shall have been first passed through,—until the country shall have undergone what may be fairly termed, a ripening frost. Little real advance is now to be made until the price of labour shall have settled down to two dollars per diem; for though it may be quite right and proper that Jack should be as good as his master, that state of things in which he is better than his master must always be essentially unsound.

But such impediments to the settling of respectable families as are remediable, it behoves all of us alike to join earnestly in attempting to remove. Nor can procrastination be allowed, for every day, in this extreme youth of the community, is of telling force upon her future character. And let us bear in mind, that the main excuse for this unsettled state of things,—the uncertainty of political prospects, and the doubtful validity of the law—so long and so pertinaciously insisted on, is happily taken away at last, for CALIFORNIA IS NOW OF THE UNION.



VIEW OF VALLEJO.

This is a view taken at Vallejo, the proposed permanent seat of Government for the State of California, and on that account will be probably considered as one of the most interesting subjects that could have been offered to our readers. The site of the future city—if city it is to be—is tenantless as yet; all is bleak and open; the wild geese lights there from its flight to pasture undisturbed. But that there should be no city yet in existence, is, in California,—where Anglo-American enterprise bids

its edifices spring up at will, almost in a single night, like Aladdin palaces from the earth,—the lightest of all possible objections to the carrying out of any given scheme.

It is bounded on the east by the city of Benicia on the south by the straits of Carquines, and on the west by the Bay of Napa, on the opposite side of which, and fronting Vallejo, is Mare Island, recommended by the board of Naval commissioners, as the most suitable location upon the coast for the

great Pacific Navy Yard. It has itself a water front seven miles in extent, affording a secure anchorage to the largest vessels afloat, and capable of containing any amount of shipping. It possesses quarries of free-stone for building purposes, an ample supply of water, and mineral springs,—sulphur, chalybeate, and soda, whilst the superb fleet of steamers by which our inland waters are traversed have placed it within two or three hours of San Francisco, and six from Sacramento and Stockton, the several



emporium of the Northern and Southern mines. He must be wilfully prejudiced indeed who would attempt to deny the natural advantages of Vallejo.

But whether it be advisable to try an experiment on a grand scale,—that of removing the seat of Government from San José, holding actual possession, is a matter still in doubt. We have ourselves for a while past been paying much attention to the subject, and endeavoring to perfect our acquaintance with it, as being one of those which it falls more particularly within the province of a picturesque and descriptive journal to deal with; for the present however, we confine ourselves to giving a concise view of the question, as it at present stands.

The 1st Section of the "Miscellaneous provisions" of the Constitution is in these words:

"SEC. 1. The first session of the Legislature shall be held at Pueblo de San José, which place shall be the permanent seat of Government until removed by law: Provided however, that two-thirds of all the members elected to each house of the Legislature shall concur in the passage of such law."

The first Legislature, in its first session, at San José, passed an enactment submitting to the people for an expression of their opinion, the question of the permanent seat of Government. It is true, that such expression of opinion does not absolutely fix the Capital of the State, seeing that the two-thirds vote of the Legislature will still be additionally necessary, yet there can be no doubt but that the members voting will be chary of placing themselves in opposition to popular feeling. And the expression of this has been already most distinctly given; the votes have been taken, and the result is most overwhelmingly in favor of Vallejo.

The arguments, as offered by the advocates of the several locations, are ingenious, and plausible; so much so that we shall take an early opportunity, from which we are disabled in the present article for want of room, of culling them forth and contrasting them.

As to the offers of State endowment made in the four several rival proposals, published in Governor Burnett's proclamation, that of Gen. Vallejo is incomparably the most magnificent. It is a princely donative. But whether it be sufficient to turn the scale in a question of such paramount future importance—whether indeed it be a perfectly correct influencing motive in deciding the course of a vote, is not quite so clear. In plain words, to an unsophisticated intellect, it looks very much like bribing the State. Moreover, a shrewd hint thrown out in the *Placer Times*, that they "would like to be better informed as to the abilities of the high contracting parties to carry out their proposals," is not without significance. It must be allowed, however, that the General offers to give security; and in the present stage of the proceedings, he can do no more.

*Adhuc sub iudice lis est.*

They say, best men are moulded out of faults,  
And, for the most, become much more the better  
For being a little bad.

MEASURE FOR MEASURE.

There is an irresistible fascination in speculating upon futurities, and in shaping out finished conclusions from a few meagre data, painfully collected; in following up an intricate proposition after the fashion of Euclid, solely on the strength of a few postulates and axioms. Yet is California the most dangerous of all places for the indulgence of such whims and vagaries, for on account of the pace, the doubled and trebled rapidity of action here as compared with older countries, the fulfilment treads so close upon the heels of the prediction, as dangerously to test the reputation of the prophet.

But we flatter ourselves that we have been cunning enough to get out of that difficulty by choosing a subject in which even California itself cannot accelerate the ordinary pace, but must advance in even measure with all other countries of the world, leaving us the happy chance of being dead and rotten before the worth of our opinions can be proved. Thirty years have gone to a generation from the times of David, and thirty years it will still most assuredly take, even in fast-going precocious California, to lay on an additional tier of population. And it is upon the probable character of this first generation that we are about to cast a forward glance.

Our attention was awakened to the subject by the following passage in the correspondence of the *Pacifique*. "One of the results of this improved state of things," (the better understanding between Americans and foreigners at the mines, and the virtual pre-emption of the mining tax levied on the latter)—

"One of the results of this improved state of things will be to stimulate the population of the different States of Europe to emigrate to a land where they are sure to find the blessings of an unrestricted freedom allied to an adequate reward for their labor. There may be amongst us narrow-sighted politicians who would regret such a result; but we are not of those. With Washington, Franklin, Jefferson, with those prophetic minds who foresaw and paved the way for the future greatness of their country, we see in every emigrant who comes to our shores a portion of physical strength and a ray of intellect, or in other terms a given amount of capital. It is the subtracting of this amount of capital annually from the pockets of Europe; it is the superadding of it to the American hoard, which has been one among the many elements of the progress of our Atlantic States. It is the crossing of the French, Celtic, and Saxon races with our old Puritanic stock that has produced the reckless, devil may care, go a-head Yankee family. In this as in many other instances, the generous, the philanthropic policy, has been the true one, and in following in the footsteps of her elder sisters, in welcoming to her shores, the burthened, the persecuted, the adventurous of every clime, California will be building up her future prosperity on a marble and a broad foundation."

It will be an interesting breed, the progeny of this motley assembly. Who are the sires? For the children must needs savour of the paternity:—

*Fortes creantur fortibus et bonis;  
Est in juvenis, est in equis patrum  
Virtus, nec imbelles ferocem  
Progenant aquilam columbe.*

Some, good men and true, men of standing in the States, coming out upon the strength of legitimate resources, in hope to shorten the period of their fortune-making probation. But what a preponderance of adventurers—of men appertaining to the least stable and most dangerous class, impatient of privation, reckless of the means of revenging themselves on society for their own backwardness in fortune; like David's followers in Adullam, men of broken fortunes and ungoverned habits, in temperament something between the wild-cat and the mule. A hopeful stock! and yet we are rash enough to augur from it a promising issue, provided only that certain precautionary measures be timely adopted by the State.

We hold that such are not the worst sort to breed from, after all;—men of passions, but of sinewy minds, free at all events from the vice of sloth—better from them than from the listless and easy going, from

*a whole tribe of lops,  
Got betwixt sleep and awake.*

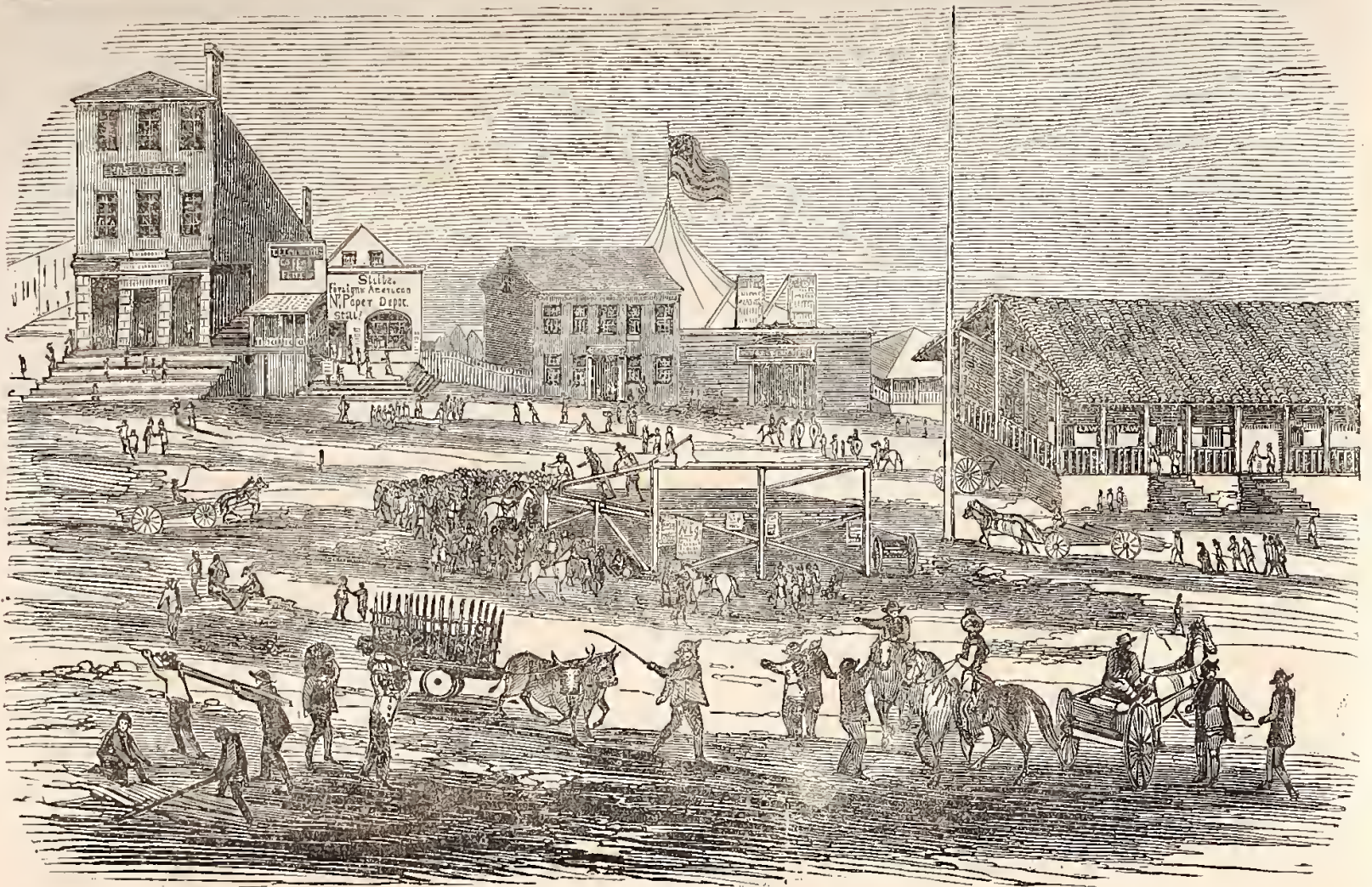
Such last may go to the compounding of a quiet, well-behaved, platter-faced community, but one from which no progress, as progress is measured in America, could be expected.

Have we not historical parallels to prop our argument? From what was the origin of the Roman republic, the Queen of the World—the most remarkable nation, both in civil polity and in conquest, that has swayed the destinies of Earth—boasting at once of the greatest, the most dignified, the most deliberative Senate (for we have little credence in the semi-mythic Arciopagns of Greece) that ever sat in assembly, and of the stoutest hearted, best disciplined army; standing alone in credit for due and honorable observance of national faith;—from what was her origin derived but from a band of outlaws, taking refuge for common security under a leader no better than themselves on the peak of one of the seven hills. How long it took to melt out the worser traces of the parentage, imperfect history sayeth not; but that they did melt out, we know, leaving a result which, like the Corinthian brass—said to have been the product of the chance fusion of various metals run together in a great conflagration of the city, and esteemed to be more precious than gold—has been the wonder of posterity to the present day.

To expect to realize at once a population perfectly homogeneous, like that of the New England States, peopled, in the words of the *Pacific News*, by men "coming alike out of the same furnace of affliction, prepared for them by the Stuarts, with common wants, and common views," would be unreasonable. That can be the work of time alone, and the slow but certain influence which soil and climate, in obedience to a law of nature, must eventually exercise upon the character of its occupants. But a good honest cross, dashed perhaps with the peculiarities of every State in the Union, inheriting the energy and enterprise of the present population, may be fairly reckoned upon. Whether its peculiar and characteristic faults will be dropped, is a question that can only be solved by the executive itself, seeing that the query opens up at once before us the broad question of public education.

By steady, watchful, and strictly impartial administration of the law, much might yet be done towards the amelioration of even the present generation, rugged and stiff-necked though it be. That the growth of California has been turbulent and wild, is granted on all hands; perhaps even yet her wild oats are not all sown, but we like her none the worse for that. "Wanton kitlings," says the proverb, "make sober old cats;" the gathering in of years, the grizzled beard, and the tardier step, must inevitably make proof of their quieting influence upon the boiling bloods of our pioneer colonists. Neither is the world apt to be enamoured of extreme propriety in early years, which, however commendable in theory, is looked upon, too often deservedly, with suspicion, calling to mind the dramatic contrast between the characters of Charles and Joseph Surface, much more vividly than the homely moral of Hogarth's idle and industrious apprentices. The ardent and energetic stripling, reckless and uncontrollable in exact proportion to the fire of his temperament, for the most part makes the better and honest man at last; he has but a certain ordeal to go through, which if he succeed in passing safely, he becomes a citizen of double value to the State for the remainder of his days. "I would compare the man," says Goldsmith, borrowing, *soit dit en passant*, without acknowledgement from a Greek epigram,— "I would compare the man, whose youth has been passed in the tranquility of dispassionate prudence, to liquors that never ferment, and consequently continue always muddy."





VIEW WEST SIDE PORTSMOUTH SQUARE.

We here offer to our subscribers a faithful delineation of two sides of the most remarkable object in San Francisco, the Grand Plaza—or Plaitia, were it spelled according to Castilian pronunciation—reserving the intention of completing the whole parallelogram, as it would be unfair towards its inhabitants to leave the one half of them unnoticed, in our succeeding number.

This Plaza was once, and that not very long ago, the *punctum vite in vitello*, the focus of what little there was doing in San Francisco; but now, the commercial activity of the place having moved down towards the sea, among the busy wharves and water allotments, it must be content with the less substantial honors due to its picturesque and ornamental character. But come what may, it must always remain "the lounge," for the spending of what few idle hours can be spared in this most industrious of cities, devoted to the appliances of luxury and recreation, and capable of dispensing them with a bountiful hand, in whatever variety, or of whatever species they may be demanded.

It is, in fact, a little epitome of the city, complete within itself, with a separate circulation of its own, like the Palais Royal at Paris, which a man may be born in, and never find occasion to leave, until his own turn come to be carried out feet foremost. Like the rest of the town, it is of mushroom origin; for some three years and a half ago, its only edifices were the Adobe building, the City Hotel, Dr. Jones's Adobe Hotel at the corner of Kearny and Clay streets, Capt. Peddy's Hotel, and a small house belonging to Mr. Cooper on the site of the present Alta California office: yet in this short space it has found time for the experience of many vicissitudes; three times a sufferer by fire, and each time able to

repair its loss more gorgeously than the last. In the centre may be seen the wreck of an attempt at what was expected to be the great embellishment of the town, combined with the most important practical uses,—the Artesian well that was to have been, emulous of the mighty work at Grenelle, which was at once to diffuse balmy coolness throughout the city, and to ensure safety from conflagration. It was a blind improvement, nevertheless; unluckily, the projectors seemed to have forgotten that something else is necessary toward the creation of Artesian wells beside the boring of holes in the ground, or that a little geological knowledge, with a faint perception of the succession of strata, was wanting to ensure success. They bored away, perseveringly enough, for some time, without being able to strike the water, and having at last come to a bed of stone, which might be of any indefinite thickness, found it expedient to spare the edges of their tools for a while, leaving the hole, a kind of enigmatic exercise for the finer-witted portion of the community, in devising uses to turn it to. In justice, however, to the contractors, we must observe that they are sanguine still, but complain much of the difficulty of procuring proper drills.

Let us now take a view of the buildings, *seriatim*, on the Western side. That large building to the right, once the second resting place of the Custom's, is the Post Office; a great improvement, for the convenience both of the public and of the employés, upon the late cramped and inconvenient offices higher up in Clay street. Next to this, a pigmy by the side of a giant, stands the tidiest of miniature cafés, where the fragrant Mocha is dispensed by one Thomas Truworthy with scientific hand, agreeably set off by the fruiterers establishment with which it is conjoined.

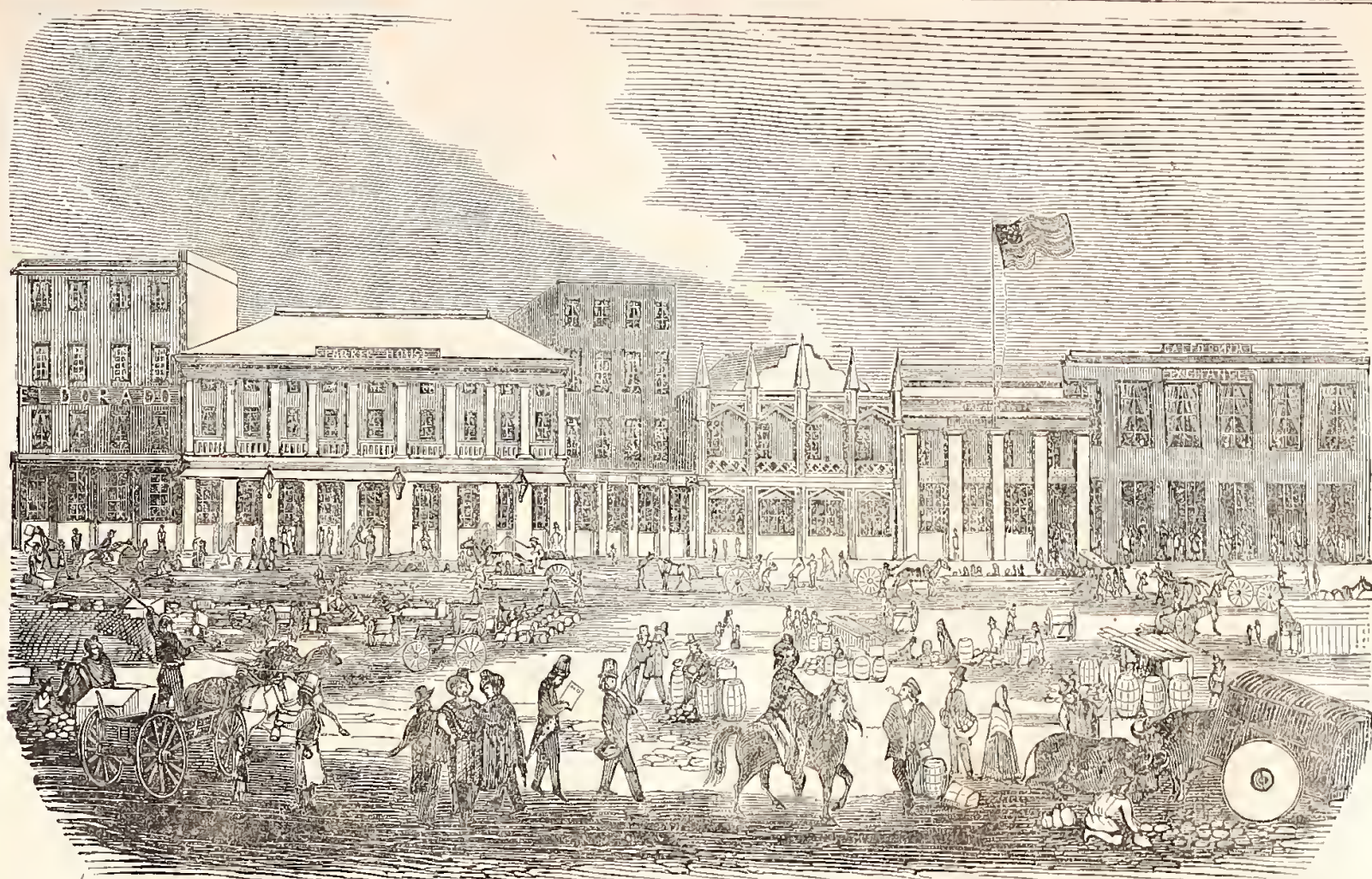
Might we suggest that the luxury of iced water, as a counterpart to the cool bloom of the grapes that are hanging around in festoons, is the one thing needful in addition.

In the adjoining house, not very imposing without, but with richly furnished shelves within, dwells Still, the enterprising bibliophile, always with the last new work on his counter, and always with an obliging word for a visitor. This man is an instance of what steady perseverance will effect in California. Determined to get here, by one means or another, he worked his passage round the Horn before the mast, landed without a cent in his pocket, pushed his way through the world, and has just now received the largest consignment of literature ever shipped to San Francisco from the States—eight thousand volumes, with thirteen thousand newspapers from all parts of the Union. Such, at least, is his own personal statement to ourselves; and certainly his shelves do not belie the account. We should likewise mention that he has entered into partnership with an extensive publishing house in New York, and that he has shewn the surest indication of doing an extensive business by having within the last few days reduced the prices of his books.

Next comes the Justice Court—do not call it a misnomer,—for there is a sort of justice, even here, whose principal defects are these, that she has acquired a trick of slipping the bandage from off her eyes to cast a glance at the fees, and that she is said to pervert the use of her balance into weighing the shekels of silver and of tested gold. No where, perhaps, as in California, is the Court so fond of swallowing the oyster, and of awarding the litigants a shell a-piece.

At the extreme left, is the Adobe building, the





VIEW EAST SIDE PORTSMOUTH SQUARE.

oldest, and to the painter's eye, the most picturesque edifice in the place. It was first used as a Quartermaster's Depot, then as a Custom-house, and is now finally let off into chambers and offices, while the platform before it, from its commanding position, serves as a hustings, and as a stage for exhibitions of public oratory, from the Sunday ranter, to the political lecturer. Whilst it appertained to the Mexican army, two brass guns were mounted before it, with the names of the several saints to whom they were dedicated embossed upon them in high relief; but the patrons, it would seem, did not think it prudent to interfere for their recovery, when they were marched away, with so many other trophies, by the American troops. We must not take for granted, however, that the Roman Catholics alone have thought to enhance the efficiency of their artillery by pious charms, for the Puritans likewise have not unfrequently given way to similar fancies. In Ireland, some years ago, a piece of ordnance was recovered from a bog, supposed to have been abandoned by the troops of Oliver Cromwell, bearing upon it the following remarkable inscription: "O Lord, open thou our lips: and our mouths shall shew forth thy praise."

Turning to the Eastern side, we look upon nothing less than a line of palaces, the magnificence of whose interior even more than corresponds to the promise of their outward shew. The service to which they are dedicated—worship of the fickle goddess, Fortune, need scarce be named; their charms are too eagerly displayed in rivalry for the attraction of fresh and unlessoned votaries to leave the most careless by-stander in ignorance of their nature. Certainly they are the pleasantest of lounges, to beguile the time withal, for such as have the courage to withstand their manifold temptations,

and are conducted on the most liberal principle. You have the free use of them for your amusement, in the strictest sense of the term. Frequent them as much as you please, you are not on that account expected to do any thing "for the good of the house;" no one casts an eye after you, to watch whether you play, or patronise the bar; you are never an intruder, and never attract the slightest notice.

At the extreme right, stands fire-proof El Dorado, (which, with its opposite neighbour, Verandah, was the saving of so many of its more inflammable brethren from destruction during the last of our many conflagrations), seemingly an especial favorite with the Mexicans, the most thoroughgoing of gamblers, and not the least welcome visitors. Parker House comes next, the patriarch of the family, concerning which we are enabled, through the courtesy of J. B. Hart, Esq., to offer the following details. The old Parker House of all, that was burnt down on the 24th day of December, 1849, was built by Robert A. Parker and John H. Brown in the spring of 1849. It was of a 65 feet frontage on the Plaza, and 45 feet deep, with a wing running back 90 feet and 35 feet wide, two stories high.

The Parker House erected by Thomas Maguire & Co., on the ground occupied in part by the old Parker House, was 35 feet on the Plaza and 130 deep, three stories high, well finished and furnished. On the evening of the 4th of May, 1850, its saloons were to have been thrown open to the public, but, by a chance as curious as fatal, on the very morning of the appointed day, it was a second time burned to the ground.

The present Parker House is of 75 feet frontage on the Plaza, 140 feet in depth, and three stories high; the second and third being partly occupied by

an elegant little theatre, christened after Jenny Lind, the favorite of America. Mr. Hart seems to have been singularly unfortunate with regard to accidental losses. On the 20th Dec., 1849, he purchased the establishment; on the 24th of the same month, it was a heap of ashes. This was followed up by the May fire; the combined losses from which events to himself alone amounting to no less than \$80,000.

The Union, the Crescent City, likewise a favorite, and the Empire follow, closed in by one which bids fair to eclipse them all in magnificence—the yet unfinished Californian Exchange; in which, among other devices for attraction, that of throwing in masses of colored light through stained glass—a novelty in San Francisco—is introduced.

Let us not forget to commemorate the last character which the square has assumed to itself; its change from Plazer, as it were, to Placer,—its metamorphosis into a mining district. Some little time ago, about forty or fifty persons were to be seen earnestly engaged in raking up the surface earth. The news that they had found gold spread like wild-fire, and certainly, they took something out of the ground which looked very like it. No one doubted the fact; one individual, more lucky than the rest, hit upon a "pocket," containing several ounces; and as the reputation of the mines was already secure, was able to dispose of it without preliminary testing at the rate of \$16 an ounce. The gold, however, proved to be nothing more or less than spelter, which, we may presume, had been buried over night, for the purpose of being exhumed in the morning. The *Picayune* was the first to announce the ingenious trick. And here let us take leave for the present of the Plaza, with the intention of returning to it, and completing the square in our following issue.



## The Murder at Mormon Gulch, and other Memoranda.

We are enabled to give a more correct version of the late shocking murder perpetrated at Mormon Gulch, than has hitherto appeared in print. The account was received by us nearly a fortnight ago, but our issue being only semi-monthly, no apology need be offered with regard to the date.

At about 5 o'clock in the morning, on Sunday, October 6th, the occupants of a tent upon the road leading from Mormon's Gulch to Stockton, via McClean's Ferry, were alarmed by cries of Murder: running forth immediately, to offer help, they saw a naked man about 200 yards off stagger and fall. He lived for about 4 minutes; but all that they could elicit and understand from him meanwhile, (the man being an Italian,) was, that he had been stabbed by some of his companions, robbed of 252 ounces, and that his messmate was also lying murdered in the little pine shanty about 10 yards distant, out of which he had himself escaped. On repairing thither such was found to be the case. There lay the body of a Frenchman—one of the most magnificently proportioned men, says our informant, that he ever beheld, showing a single stab within one eighth of an inch of the left nipple, the breast of the shirt having been thrown to one side by the assassin, if as to make sure of the blow; the hands unclenched, not a muscle of the face distorted; and the countenance placid as in sleep. He must have died without a groan. The Italian, who had the features of his country unmistakably marked upon him, had been stabbed immediately below the navel; eighteen inches of the viscera protruded from the wound, apparently uninjured by the weapon of offence.

From inquiries made in the neighborhood, it appeared that a party of seven, consisting of five Frenchmen, an Italian, and a Mulatto—of a color so peculiar that he was known in the Mormon Gulch only by the name of the yellow man—had been working there for several months. From their conversation on the previous day, it seemed that they had made up their minds to dissolve partnership. The murdered Frenchman and the Italian were known to have been the most provident of the party, and the latter had been heard to say that his property was secured in a large belt which he always wore around his person, asleep or awake. This fact may possibly account for his having been stabbed in the abdomen, below the belt, rather than in the heart, like his French companion. It should be observed that the two murdered were the sole tenants of the log hut, but that the others lived in a tent a few yards distant, which was deserted on the morning of the alarm; bedding, cooking utensils, every cumbersome article in fact being left behind, thus leaving no doubt as to the perpetrators of the deed. It appears that they divided in their flight; for a gentleman who was out shooting at half past six on Sunday morning, in the vicinity of McClean's ferry, on the Stanislaus, on hearing the circumstances mentioned, observed that he had seen three of the party, corresponding exactly in description, not half an hour before. They were leading their horses down a very precipitous descent, the yellow man a little in advance, and talking loudly to the two Frenchmen, who were hanging back. Two of the horses were light colored, and the third, of a peculiar hue, something between a cream-color and a grey. Upon proceeding to McClean's ferry, it was ascertained that they had crossed precisely at seven o'clock. On the Sunday a Coroner's inquest was held; and on Monday forenoon, a person was sent, on foot, in pursuit, but returned in the after-

noon, stating that the delinquents had got so far ahead that they would be in San Francisco before he could get to Stockton. Surely there must have been laxness here.

We are given to understand by the same informant, (upon whom we can thoroughly rely) that the bars upon all the Northern rivers have turned out complete failures, hundreds of thousands of dollars having been sunk upon them, while the poor disappointed miners are flocking back again in crowds to Columbia, Sonora, Jamestown, the Chinese diggings, the Chilean diggings, and generally to the dry diggings, of which fresh ones are being discovered every day.

We have been accustomed to suppose that the rapidity of progress evinced in San Francisco, was something unparalleled, but it would appear that they leave us far behind at the mines. Balaceta, about two miles from the head of the old rich Cayota diggings, where *four days before*, nothing was to be heard but "the wood-pecker tapping the hollow beech tree," or the startled deer brushing through the scrub, suddenly found itself resounding with snob, psaltery, timbrel and dulcimer, in the enjoyment of monté tables, and rejoicing in a population eight hundred strong; while the ground around it, even and undisturbed but now, stuck all over with square holes, assumed the appearance of a graveyard waiting for the cholera. On the second night of its existence, monté played a conspicuous part in the annals. A gentleman who had not been successful in his "bucking" operations against the table, determined to be revenged upon his luck, and drew his six-shooter accordingly, firing right and left into the company. One ball passed into an innocent and fleshy part of a Chilono; but the other sped more dangerously, entering the side and lodging near the spine of either an American or Englishman. He is at present lying in a tent; and although the ball has not been, yet extracted, is now considered out of danger.

The Balaceta diggings do not seem to be realizing early expectations. Carson's is still a favorite; the ground is dug and re-dug, but yet, as in the purse of Fortunatus, every time that it is opened, fresh discoveries are made. One and two pound lumps are of frequent occurrence, whilst only lately, a seven pounder was taken out. The soldier's gulch leading to the Stanislaus has proved very productive, and two men have been successful in a flat at the mouth of the Cayota creek, one pan having turned out \$783, whilst the joint workers, between the Thursday and the Saturday, took out upwards of \$7,500. These however, are but lottery prizes, after all; for these very diggings are no great favorites, being considered as too "speculative," the gold being over-partially distributed, and not paying on the whole. The Stanislaus seems now to be completely deserted, there being little to be seen there but Boyd's camp of South Sea natives. They have some very deep diggings at the mouth of a creek, but as to their success, we cannot speak. Angels, St. Antoine, and the Calaveras, still have their admirers, but for the next four or five months, nearly all the gold obtained will be from the dry diggings, there being now water in sufficiency to work out the earth. There, with common industry, from half an ounce to an ounce a day may be calculated on with certainty, which suits many better than the more speculative enterprises, in which "a pile" may be possibly stumbled upon in a week.

JUDGE LYNCH.—We are really becoming the friend of this much abused old gentleman. He has done some things badly in his day, but suffers more from his counterfeit rival, Mob Law, than from any act of his own. In California, his judicial history would not suffer when compared with that of any elected or appointed dispenser of justice here. In many parts of this country at present, we decidedly prefer his code to that of the regular courts. When murderers and robbers and thieves are saved from the halter, the prison, or the chain-gang, through the juggling of a highly-fed, or in other words, *bribed* counsel—law is a curse, and lawyers become the aiders and abettors of crime. Justice, fresh from the people, where blind excitement does not reign, is preferable, more honest, just and certain than when entangled like a grand-father longlegs in the webs of forty cunning spiders. Below is a specimen of tolerable justice, copied from the *Placer Times*, as administered before His Honor Judge Lynch. It is *buono*.

California is, without dispute, rich in the glittering ore. After reading the scene following, few, we opine, will deny that our embryo state is rich in many things else:

Not long since, an emigrant arrived over the plains in a sickly and destitute condition, which excited the commiseration of his friends in the upper part of this country, who to place the man in a position to make a living, elected him justice of the peace. In the early part of this month, a stranger, thinking that the price of beef would justify the act, took it into his head to drive an ox off the ranch of one of the said justice's friends towards Sacramento; he was pursued, overtaken and brought before the justice, when the case was heard, and the mittimus made out, the judge adjourned the case for one hour, and took the prisoner into his *faithful* care and keeping. After the crowd had dispersed, the *honest* judge inquired of his prisoner how much he would give him if he would release him. All the money I have, was the reply. The sum reached \$170, which the judge took, and told *oxonian* to "*vamos the ranch*," which he readily did. The judge then destroyed the papers in the case, and awaited the expiration of the hour of adjournment.

On the re-assembling of the other parties, the escape of the prisoner was announced by the court with deep regret. Pursuit was made at once, and the thief traced to the American Fork, into which he had plunged, holding on to a grape vine to keep his head above water; in this situation he was discovered and brought back to the justice's office, where the above facts were divulged, proving that the course of rascality, as well as love, doesn't run smooth. The crowd, incensed at the *judicial* conduct of the judge, formed a court for the occasion, put the ox-driver on trial and *acquitted him*; then summoned the head of the *legal tribunal*, whom they tried, found guilty, and ordered to be lashed to an oak tree, and there receive a sound whipping from the hands of his friend the former prisoner. The *cow* hide was applied vigorously by the *ox* thief, much to the gratification of the temporary court and jury.—*Alta*.

It has been observed to us, after the printing off of our first form, when it was too late to alter the description, that certain general strictures upon Californian judgments might be interpreted as personal to the Justice who usually presides in the building depicted. We are glad to be not entirely too late in disclaiming any such intention, which, with regard to the gentleman in question, would have been more especially unjust. Our rule as journalists, never infringed for a course of many years, has been to attack systems and things, where necessary, but individuals, excepting in extreme and flagrant cases, never. We offer our thanks to the friend who pointed out the possibility of misconstruction.

A LOAD.—The ship Osceola cleared on the 19th for Panama, freighted with 291 passengers, among whom were several ladies. This is the greatest number that have yet left this port by a sail vessel.





VIEW OF DEAD-MAN'S BAR.

## Disappointed Hopes.

The accompanying sketch was forwarded to us by one of the actors in the scene portrayed. We presume that extracts from some of the letters of our correspondent will form the truest and most picturesque comment upon the illustration that can be offered:

At Auburn we toiled steadily for a fortnight but made only \$2 a day. Our golden dreams were daily growing fainter and our arms more stiff, when one morning Harry dived into a cavity from which we had just hauled a root and brought up a chunk in his hand. We tore away the rocks with vigor renewed, laying bare a lovely little crevice spotted with similar pieces, from which in half an hour we took \$185. Here we worked for some days longer without getting anything more, when a man from Bear River seduced us away with some high-flown stories there-  
 \* \* \*

Since I wrote to you we are upon Bear River, where we find gold scattered throughout the whole of the soil upon the bars, a peculiarity of this locality; the fine character of the scale gold compared with the lumps we dug up at Auburn struck us much. When we arrived every body was away for the Yuba and Goldlake exhibitions, both of which allurements, as they proved utter failures, we were lucky in having resisted. There we worked steadily on with various success, making from \$5 to

\$10 a day. Thence we took a fresh departure for the North Fork of the American River accompanied by our friend Jerry with two others, and settled a short distance from Dead-Man's Bar, which takes its name from the circumstance of an old miner having worked and died there alone last summer. I send you a sketch of the spot which will give you an idea of the hills we have to pack our provisions over every Sunday from Illinois Town. Below you will see the wing-dam in which all our hopes are centered. The toil of forming a dam is no joke, up to your hips in water until you build up the walls which are composed of rocks taken from the bed of the stream, then filled up with earth and brush.

Since writing the above we completed the dam and lay upon our oars, watching for the water's falling sufficiently low to enable us to work it. But the fates decreed otherwise; for one night we were awakened by the unusual sound of a peal of thunder. What a contrast with the calm, placid weather we had been accustomed to! The pattering drops of rain warned us that we were in for it—soon it fell in torrents, and with nothing but a bush tent to cover us, you may fancy our wet and miserable condition as we sat huddled up in blankets. For three hours it rained in torrents, and as the lightning flashed and the report echoed and rattled among the surrounding hills we had ample time to muse on the delights of mining. The storm gradually rolled up the ravine,

the thunder growing fainter and fainter till there was a quiet lull. We got up and shook ourselves, but this pause was of short duration; a crackling peal above our heads rolled us up in our blankets again and an outburst on the rear of the first succeeded, the noise of which defies description. A deafening roar followed from the river below, half drowning the shouts of the miners rushing down in their shirts to save their tools from the flood. When morning dawned the sun rose upon the wreck of the labour of thousands; dams, tools, rockers, all were gone, and five feet of water was running over what yesterday was dry ground. Old Jerry sat looking at the scene of his months of labour a truly miserable object, and Harry and I turning away from the river in disgust determined to leave as soon as we could pack our things. In an hour we were ready, and as I shouldered my pack I turned to look at Harry who was behind, when I saw him deliberately take out a frying pan and hurl it into the torrent below. Plates and cups, boots and medicine bottles, every thing but our blankets went into that accursed river; with these last we turned away and marched up the hill, where we found a friend and neighbour who begged us to take a glass of Twitch Eye from a bottle he held in his hand. He accompanied us to the top of the hill where the poor fellow shook us heartily by the hand, and I fancied I saw a lurking moisture in his eye as he told us the flood had ruined him—he had spent his last dollar on his dam.



From the Placer Times.

**WILL THE MINES CONTINUE PRODUCTIVE?**—Having endeavored in a former communication to prove that the mineral treasures of this country were not easily exhausted; the importance of my subject will make apology unnecessary if I endeavor to strengthen the position which I then took, viz, that the most permanent sources of wealth were not yet developed.

Thus far, the greater part of the labor of the miner has been directed to the deposits in banks or the beds of the rivers—and the deposits in the mountain ravines were only sought when the floods of winter rendered the river diggings inaccessible.

And so far there are many reasons why this should be the case. It is much more easy to prospect in a bar or river than in a ravine—the return is more certain, and in the best season for working the rivers the ravines are generally dry.

The result of this will be, undoubtedly, that the richest river deposits will be soon worked, although there will be sufficient left to pay four or five dollars a day on almost every bar on any of the rivers, and then more attention will be paid to the ravines in the mountains—and then and not till then will the incredulous be forced to admit that the gold deposits of California are as much to be depended on as the coal fields of Pennsylvania. I firmly believe that there are deposits deep in the beds of the ravines richer by far than anything yet found on the rivers, and the deep diggings at Nevada go to prove me by no means visionary, and it would be most singular if out of ten thousand ravines the lucky miners should have chanced on the richest at once, for this is the only place as yet, that the deep alluvial deposits have been prospected, and unless all our experience is to be falsified, we shall find that the deepest diggings, as a general rule, will be found the richest. And when the river bottoms shall have been searched in every accessible part, one tenth of the labor now thrown away on leaking dams and blasting out canals to divert the river, shall be bestowed in sinking shafts in the dry diggings—we should hear fewer complaints from men who have wasted months in unavailing toil, and as by boring, water could be obtained in sufficient quantity, in most places the work would go on in summer as well as in winter, and our mining population would make permanent settlements and be able to surround themselves with many comforts that their roving habits now render unattainable, and their expenses will be much diminished by agriculturalists, who with the certainty of a ready market will cultivate land in the vicinity of these mining settlements.

In the northern mines, I can testify that there is no lack of land that will produce good crops of grain in spite of the absence of rain in the summer—for wheat, oats and barley need no rain after the grain is once formed, and by choosing the proper time for sowing, the grain will have reached this point of maturity before the rains. The hot dry weather will mature the crop, and there is no fear of rain in harvest to blight the hopes of the husbandman just as his reward seemed surest.

Yours truly, ADELPHOS.

**CALIFORNIA GOLD.**—The average fineness of nearly all the California gold brought to the United States Mint at Philadelphia, is 886 thousandths.

The alloy of California gold, ordinarily, is wholly silver, with a little iron. The iron and dirt, or sand, are removed by melting, occasioning an average loss in weight of about  $3\frac{1}{4}$  per cent. If the grains have been cleansed by the magnet, the loss is reduced to about  $2\frac{1}{2}$  per cent.; but if the grains are dampened or wet, the loss may rise to 4 per cent. or even higher.

California gold is regarded as consisting of 995 parts of gold and silver in every 1000 parts.—*Placer Times.*

**UNION CITY.**—This is the land of cities. Another, styled Union City, has sprung up a mile and a half below Coloma, along the South Fork of the American River, and is growing rapidly, as it is located in the vicinity of what are now esteemed good dry diggings. Quite a number of houses have been erected within a month, and twelve or fourteen families have selected it as a place of residence.—*Transcript.*

We break through, for once, our rule of admitting nothing into these columns that is not strictly of California, in favor of the following extract from the unrivalled *Punch*, which to our minds, is perfectly irresistible in drollery, fair give and take on both sides.

English Foreign Policy and Foreign Bluster Discussed by the British Lion and American Eagle.

*American Eagle* (meeting *British Lion*).—Good mornin' to you, old feller. You're a lookin' spry. And so you ort. You feel proud of yourself, don't you? Oh! in course you do. The thought that we've bin a behavin' brave, and noble, and ginnerus, is a pleasant one to chaw upon, aint it? Oh! you're a magnanimous beast, you are, and have jist bin shewin' yourself such—that's a fact. There's none of the cur in your natur, is there? Oh, no! Not the least mixtur in you of the coward and the bully.

*British Lion*.—What the deuce do you mean?

*Am. Eagle*.—Oh, you've been actin' a fine part toward Greece, han't you?—go in to war amost with that air great and powerful nation, for little more but to recover a debt for that sorter British subject, sorter Portuguese, kinder Jew, Don Pacifico.

*Br. Lion*.—Come, none of your chaffing. The honor of England demands that the smallest wrong, offered by whomsoever, to the humblest of her Majesty's subjects, shall be redressed.

*Am. Eagle*.—Now you cantin' braggin, ontruthful old loafer, have you got the face to tell me that air? When I know, and you know, and know that I know, that let the worst injuries be done to any on'em, by them as you think you can't afford to quarrel with, and you'll pocket the affront like dollars, and eat humble pie as fast as buffalo-hump.

*Br. Lion*.—You are speaking in joke, of course; but really I cannot allow you to continue this language. It won't do.

*Am. Eagle*.—I in joke? I never was more serious at a camp-meetin', I tell you. You cannot allow me to talk so! I should like to know how you are to hinder me, you blusterin' old quadruped. Won't do! It will do, every word on it, and I'll prove it, and make you swaller it, in spite of your teeth, as easy as I'd give my old mare a hoss-ball.

*Br. Lion*.—Well, well, I shan't let you put me in a passion.

*Am. Eagle*.—No, I expect you won't; or if you do, you'll shut up your feelins in your own buzzum tight. You'll tie the valve down, and keep your steam in, and I hope it won't bust you. And now, as all your Queen's subjects is to have their part took agin the world, how about that air nigger of yours, as was hauled out of one of your merchant ships only because he was a nigger, and for no other reason on airth, by our free and independent citizens, and locked up in the common gaol whilst the vessel stopped in port, accordin to law in such case made and provided, at Charleston, South Carolina, U. S.

*Br. Lion*.—Diplomatic negotiations are now in contemplation, with a view to relieve an anomaly, which, I trust, will not continue to exist much longer in the relations between Great Britain and the American Republic.

*Am. Eagle*.—And if your diplomatic negotiations fail, you'll send Admiral Parker and a fleet to blockade New York, won't you? You'll seize all the craft you can catch off Long Island, till such time as we learn to respect the persons of your blessed niggers. But wouldn't you have done this long afore, if New York had been Athens, and Pacifico the nigger imprisoned at Charleston? Oh, you're an awful *Lion* to the weak, you are; but there ain't a lamb milder to them that is likely to shew you the smallest fight!

**GOLD HUNTING ON THE PLAZA.**—Some fifty or more persons have been industriously engaged in gathering gold, as they supposed, from the earth on the Plaza. One man, in a very short time picked up several ounces, which he readily sold at \$16 an ounce to "a dealer in precious metals" and other valuables; but to his astonishment and rage, he soon discovered that what he bought for gold, proved to be nothing more nor less than spelter, some very "handsome specimens" of which we have now before us. The trick was well played.—*Picayune.*

**STICK TO ONE SPOT.**—Experience has proved in California perhaps more than in any other place, that "a rolling stone gathers no moss." Much money has been expended, a vast amount of time lost, and the hopes of many ruined by the almost irresistible desire in the breast of the miner to prospect. When you see a miner given to prospecting, depend upon it the prospect of his making a fortune in the mines is very small. On the other hand, where you see a man remaining in one spot, and working month after month, you can almost always set that man down as one who will eventually make money.

Many instances come to our notice every week, proving these statements. An intelligent miner told us a short time ago, that he was also from the first a firm believer in this doctrine. And he has acted up to his belief. He arrived in the country a year ago, and settled in Auburn, determined to stay and work in one spot. At first he made but little. His claim soon, however, gave out apparently, and he worked four months not only without making a cent, but absolutely running in debt. He has kept on working, up to a month ago, has paid all his debts in California, and now has \$6,000 and upwards at interest. We think that this is worth persevering for, ten or eleven months. He has been temperate in his habits, has taken care not to over-work himself, and goes home with renewed health, and "money in his purse."—*Transcript.*

**TO ALL WHOM IT MAY CONCERN.**—We received a letter from a young man in the mines, requesting us to inform him of the "chances of obtaining employment" in this city. Were this an isolated case, we should not deem it necessary to answer it through our columns, but as such inquiries are frequent, and as they seem to increase as the rainy season approaches, we feel disposed to answer them in a general way.

Situations in this city of all kinds are extremely scarce. Although an extensive market for labor, the supply, nevertheless, is so great, that no room is left for additional arrivals. Hundreds of young men, with the best of recommendations in hand, are constantly on the look out for openings, and when one happens to occur, the applicants for the vacancy are numberless.

There is no business or occupation that is exempt from this flood of labor, and every fresh arrival from the States adds to the quantity.

We therefore advise all who are up the country to stay there, as an attempt to better their condition in this city, would, in all probability result in disappointment, and perhaps in more than ordinary vexation. If they move at all let it be toward the "dry diggings," where, with perseverance and care, they may lay the foundation of a future fortune. True, mining is laborious, and, to most, unpleasant work, but he that follows it up with a will, can hardly fail realizing a fair reward. Certain it is, that more money can be made by mining, than by walking our streets in idleness, and making useless applications for work.—*Picayune.*

**PLANK ROAD FROM SAN JOSE TO ALVISO.**—We learn that there is an enterprise on foot to construct a plank road from San Jose to Alviso. Will not somebody undertake to supply the slough with water and make it a little wider? Without this the plank road is not apt to avail much.—*Herald.*

#### MR. ARMSTRONG'S BOARDING HOUSE.

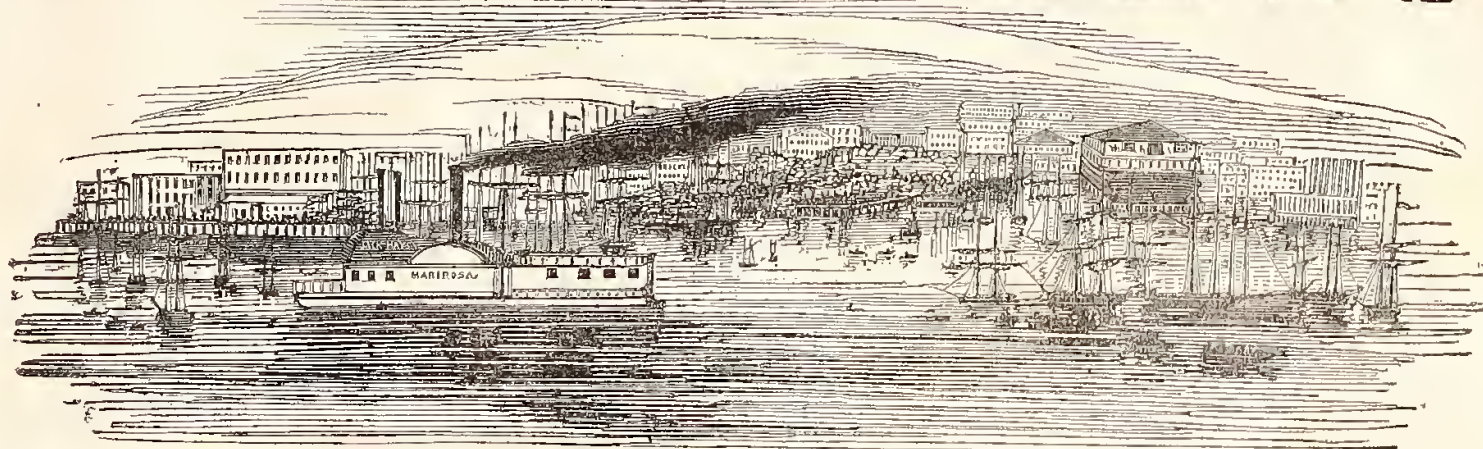
THIS quiet and comfortable Boarding House is situated at the extreme south end of Montgomery street, opposite the Chinese House; combining the advantages of town and country, being actually contiguous to both on either side. The careful regard to respectability with which this house is conducted, has hitherto ensured it a superior class of visitors, whose permanent stay it is the policy of the proprietor to ensure by the most unremitting attention to their comfort, and by never letting pass an opportunity of increasing the satisfaction which they have already been pleased to express. For the amusement of those who are musically disposed, a piano forte and seraphine, imported by the proprietor, have been placed upon the premises. TERMS, \$10.00 per week.

#### JOHNSON'S DAGUERREAN GALLERY.

GEORGE H. JOHNSON begs to apprise the public that he has opened a Gallery, on the North side of J street, between Third and Fourth streets, in Sacramento city, to which he respectfully invites the attention of all who will favor him with a visit, whether they be intending sitters or not. The rooms are fitted up expressly for the purpose, a skylight having been introduced, and various important alterations made to insure the success of the operation. He will undertake to warrant his Daguerreotypes equal to any taken at the best establishments in the States. A large assortment of Frames, Cases and Lockets constantly on hand; also, a Daguerreotype Apparatus, Chemicals, &c.



# THE ILLUSTRATED CALIFORNIA NEWS.



VOL. I.

SAN FRANCISCO, DECEMBER 1, 1850.

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THE  
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Venienti occurrere morbo.

It is high time that public attention were called to a subject, about which, excepting at rare intervals, an unaccountable apathy has been shown,—the continuous advent of condemned felons from two of the Australian colonies, an impure drain silently discharging itself into the clear stream, and poisoning its waters.

This indifference can only be traced to a very prevalent opinion, that the great indraught has already ceased,—that a few stray convicts only arrive from time to time, too few in number to require legislative attention. We are not of that opinion, believing, that, although the first great rush be over, immigration from those colonies has steadily set in, and that every living cargo will comprehend its full proportion of these outcasts from society, whom no system of discipline that has been hitherto devised, has been able, with a few rare exceptions, to amend. And even were immigration to slacken, to cease nearly altogether, that particular class would be the last to feel disheartened from trying their luck amongst us, were it only for the consciousness that nothing less than a new hemisphere can restore them to a position of equality among their fellow men.

It is possible, likewise, that their true character may not be appreciated here as it deserves to be; that the probation which they have undergone, the discipline to which they have been subjected, may be

charitably supposed to have worked a beneficial change upon it. But it is not so: the penal system of England, so far as the reformation of the criminal is concerned, has utterly failed her; she rids herself of her own culprits by transportation, inflicts the law's revenge upon them, for it is unfortunately nothing else, and turns them adrift, after a period, upon the world,—carefully guarding against the danger of their being returned again upon herself—finished in iniquity, their educational course of crime complete. The better for their probation! The law has revenged itself upon them, and it is now their turn to revenge themselves upon the law. They are men

"Whose spirits toil in frame of villainies;"

not so much, perhaps, in open crimes of violence,—which in this country are referable chiefly to other classes, Irish Americans, Mexicans, and Chilenos—as in the safer and more secret schemes of mischief, for the contriving of which they are ceaselessly on the alert. It is where they are best known that the repugnance to them is most strongly marked: witness the angry contest between England and certain of her colonies, on the subject of transportation, which has already proceeded to such length as to have elicited prophecies—premature indeed in our own opinion—of speedy dislocation from them; see the Cape of Good Hope rising into something like open rebellion, owing to the perverseness of a Secretary of State, who attempted in vain to force the outcasts of the mother country upon her. And if the Americans do not know them yet, let them rest assured that they will yet have to pay for the learning.

It is galling to the rightful denizens of the land to see these miscreants worming themselves into every cranny in the country, and no present means or even probable expectation of arresting the increasing evil. For there is not only the difficulty of procuring a

law to be passed on the subject, but the still greater one of devising such a law as shall meet the exigency to be considered. How to repel them without involving the admission of some principle, repugnant to the usages of a free country,—how to avoid, in the framing of such an enactment, some approach, direct or indirect, to the odious system of passports, is a problem that we do not pretend to solve. Indiscriminately to compel all who arrive from New South Wales or Van Dieman's Land to *prove a negative*, to show that they do not belong to the obnoxious class,—to force them, no matter from which port they may wish to sail, to undertake a preliminary journey to head quarters, for the sake of obtaining a certificate of respectability from an American consul, which, in nine cases out of ten, would be a matter of guess work on his part—this, we contend, would be an exercise of arbitrary authority against which the minds of all who have been trained in the true spirit of American institutions would revolt.

Yet, the natural right of adopting any means in self-defence against so desperate an evil, and of judging those means, not by their expediency, but by their efficiency alone, is indisputable. If a foreign port be infected with any pestilential malady, we at once break through all subordinate considerations, and lay her vessels under quarantine. And shall we not, by purity of reasoning, be authorized to lay restrictions on those who arrive from a country where it is notorious that a moral disease prevails, foul and contagious in the highest degree,—shall we not be entitled to demand certificates of moral health of all who sailed from an infected port? Or what right have those who choose to select a suspected region for their starting point, to claim perfect freedom of admission, seeing what a price is to be paid, not by themselves, but by the state, for the maintenance of that principle for which they contend? "Would



you not complain with justice," said Benjamin Franklin, (we quote from memory,) "if we were to take ship loads of rattlesnakes, and land them on your shores?" The conflict of arguments, seemingly good and sufficient on either side, is such as we are unable to reconcile; we content ourselves with pointing out a few of the difficulties, leaving it to abler jurists than ourselves to overcome them.

There appears to be a difference of opinion as to whether the State has power to pass an ordinance to any such effect. We cannot bring ourselves to agree with a morning contemporary in considering it as a mere matter of State police, the regulation of which has been strictly reserved by all the States to themselves. "We were surprised," writes the *Herald*, "to find in the *Alta California* an admission that the oversight of our police was a function of the General Government, and an intimation that Congress ought to pass laws regulating the police of California in regard to the entrance of foreigners into our port." Still we are opinion that it is more than "a matter of police,"—that the question affects the intercourse of America with foreign nations, the regulation of which belongs, not to the State, but to the Federal Government. And we are confirmed in this opinion by recollection of a law passed in Massachusetts—to which, for want of books of reference, we are unable to refer more distinctly—in the view of checking the overwhelming immigration of paupers from Great Britain and Ireland, which was afterwards, on this very ground, if our memory fail us not, found to be null and void. But upon this point we express an opinion with diffidence and reserve.

With regard to this inpouring of crime, no blame is to be attached to the authorities of Van Dieman's land or of New South Wales. There is no connivance, no laxity of police regulation to be imputed to them. The great mass of the obnoxious immigrants are not, technically speaking, convicts, but *emancipists*, pardoned felons, free to range the world provided they do not return to the mother country, a restriction which was ordered, as we have been told at least, in consequence of a wealthy felon, named Nash, having set up an equipage in England, the precise copy of the Queen's. The greatest possible care is taken to prevent the escape of those who are actually under surveillance,—the *ticket of leave men*,—those who are obliged to muster once a month, and who cannot acquire property. Every outward bound vessel is carefully searched, more especially those whose destination is California, and it may be assumed that nearly all the runaways who have escaped to this country have arrived by some roundabout mode of communication. As to the emancipists, it is not easy to see how they can be hindered, even by police regulations on this side of the Pacific, from making their way at will into this country; for they are mostly men of determination and of means, who would make even China or Manila their last point of departure sooner than be baulked.

We cannot conclude without remarking upon the injustice which is done to the uninfected Australian colonies in California. South Australia, Port Philip and New Zealand, are indiscriminately confounded with the convict colonies, all merged in a certain vague idea of Botany Bay. Strictly speaking, there is but one penal settlement in that group—Van Dieman's land; unless indeed Swan river on the western coast of New Holland, should by this time have been constituted a second. New South Wales, though still overflowing with early importations, has claimed exemption from that title for ten years past, although

the late introduction of ticket of leave men, under the specious name of "exiles," would seem to have replaced her, to all intents and purposes, in her old position. But there is no greater mistake than to lay the other three colonies under a similar ban. By dint of determined opposition to the Home Government, they have preserved themselves free from taint, while Port Philip and New Zealand make boast—no matter whether or not it be cause for boasting—of having recruited their ranks from the better classes of English society, (who congregate together as exclusively, even in expatriation, as in the saloons of Mayfair,) numbering more proportionately to the general population than in any other colony under the sway of the British Crown.

Whatever be done, or left undone, with regard to convictism in California, let us hope at all events that no spurious sympathy—some tokens of which may already be perceived—will be extended to this dangerous and irreclaimable body of men. Let us bear in mind the misadventure of Don Quixote, who released the galley slaves, with the renowned Gines de Passamonte at the head of them, only to find himself stoned and stripped by the very rascals for whom he had perilled his life,

ORLANDO.—Whom doth Time gallop withal?  
ROSALIND.—With a thief to the gallows, for though he go as softly as foot can fall, he thinks himself too soon there.—As you like it.

Time gallops even faster still with the citizens of California, though it can be logically proved, *modo et figura*, that they are not going the same way with the gentleman above-mentioned; for, however early our man of business may arrive at his destination, such is his hurry that he thinks himself still too late.

It has been said that the enormous discrepancies of the old Asiatic chronologies have been partially reconciled by the discovery that in many of them the periods were not reckoned by the revolutions of the earth round the sun, but by those of different planets, chosen according to fancy, or superstition; and that the interminable files of years which a few of them present can be reduced within reasonable bounds by adopting the lunar cycle as measure of each.

Now something like this would seem to obtain in California. A month here corresponds precisely to a year elsewhere; it is a complete period within itself, as definitively concluded as if each had its separate Christmas to mark the epoch of winding up. And it is practically so treated: rent is due by the month; interest is charged on money by the month; taxes are gathered by the month, and the progressive advance of the State travels by the month, i. e. just about twelve times as fast as in any other country we ever heard of.

Certainly if time is to be measured, not by the clock, but by the work that is done in that time, the lunar cycle of California may claim rank with the solar cycle of the older countries. For by far the most remarkable characteristic of this country is its intense rapidity of action, such as was never paralleled before, and may possibly be never equalled again.

Flying Childers nor Eclipse never went so fast; all but those of railway speed are not only thrown into the ruck, but altogether tailed, distanced, and disqualified to run a second heat. Slow and sure—your old fashioned steady-goers, are taken no account of here; they may cite *Æsop's* fable of the Hare beaten by the Tortoise as long as they please, but tortoises win no races now-a-days.

An American, especially of this State, is no contemplative dreamer, no "idler in Arden" to

"Lose and beguile the creeping hours of time;"

he considers that he buys it, and that every quarter of an hour thrown away is so much wasteful extravagance. He belongs to the only nation on earth that has a full and clear perception of the value of this commodity. The distinction may be summed up in a few words; that whereas, the first or instinctive impulse of men of other nations is to sacrifice time to save money, that of the American is to sacrifice money to save time. He is not the man to hang on to a bad adventure, in obstinate endeavor to bring himself through at last, like some of the old "slow coaches," who seem to take a sort of professional pride in being never beat; he has no mind to walk with a millstone about his neck, but shakes it off at once, gets rid of his bad bargain, at whatever loss, gives his attention to something else, and turns the fresh gained hours to account.

When we see, during the tremendous conflagrations which stretch across this city from time to time, notices of removal and of business continuously going on, set up among the burning embers; when we see the owners of a yet untouched house striking a bargain for the rebuilding of it, or look upon a town springing up among the mines, in four days, numbering eight hundred inhabitants, furnished with hotels and rejoicing in *monté* tables—we had almost added churches,—it is time for the rest of the world to open their eyes, and awake from their secular slumber.

But the race is not always to the swift, for a few of our fastest goers have emulated Baron Munchausen's favorite greyhound bitch, which literally ran herself off her legs. As in the ancient chariot races, there is a corner to be turned, round which the over-eager charioteer is in no small danger of losing a wheel. It would be better for many were they more

"Foreboding in their fears,  
The rattling ruin of the clashing cars.  
The floundering coursers rolling on the plain,  
And conquest lost through frantic haste to gain."

Wrecks of fortunes are seen on all sides, intimating that the pace was too good to allow of looking before leaping, or of choosing a safe line across country. There is no "craning"—peering with outstretched neck over to the other side of the fence—in hard-riding California. And he who seeks minor exemplifications, material types of the general spirit, will find no lack. Houses falling in—*exitu immaturo*—while the builders are yet at work; boilers blowing up, steamers running down and going down,—or, possibly, from over hasty impressions of locality, wharves run out upon unpurchased allotments, calling to mind Master Brook's love, in the *Merry Wives of Windsor*, which was "like a fair house built upon another man's ground, so that he lost his edifice by mistaking the place where he erected it."

Our own opinion is that a little breathing time would be healthful to the State. As yet she has not suffered materially from her reiterated mishaps, because "nunky has paid for all;" but Uncle Sam is turning rusty now, and declines being any longer milch cow to California. And as California cannot take the same course with him, as did George Barnwell with his own obdurate relative, it behoves her, like a young heir just come into a slightly encumbered estate, to set about relieving herself of incumbrances in earnest, and to impress herself with the steady conviction that she has to depend for the future upon her own unaided resources, amply abundant, if properly husbanded and cared for.



The following letter should have appeared in our last issue, in connection with the account of the "Bear Flag," but owing to some accident, was not received until after publication.—Eo.

Correspondence of the Illustrated California News.

BENICIA, NOVEMBER 4, 1850.

MR. CARLETON, SIR:—Permit me to acknowledge the receipt of four of the first numbers of your "Illustrated California News." I have read with great interest, your leader in the first number. The plan is a good one, and will afford to the world a kind of information which would not be likely to reach it in any other shape, and if faithfully conducted, will be an inestimable acquisition, while the article itself evinces not only boldness of conception, but capacity to carry it out.

The "Fates" placed me in California some years ago, while it was under the laws of Mexico. The whole face of the country had remained nearly the same for many years, the inhabitants being the same, a pastoral people,—a gradual increase of cattle and horses, with little excitement except periodical "Revolutions," which correspond with the election of a Governor of one of the states. Seldom any bloodshed; when the two armies met, they counted strength and the leader of the stronger party became the Governor and his party put in power.

The hoisting of the "Bear Flag" and the events which led to it, formed a new era in California. That was not only the cause\* of the hoisting the stars and stripes, but the people who had followed the "Bear," took, and kept the country under the United States Flag. Having participated in the active operations of the first, and published a newspaper under the second, many points came to my knowledge which may be of interest to the world, and should you be of opinion that they would be of service to you, I will take much pleasure in writing them down as they occurred. Your obedient servant,

R. SEMPLE.

BENICIA, NOVEMBER 16, 1850.

MR. EDITOR:—I have read with much interest, your last numbers, and am satisfied that you will make it a very useful and interesting periodical.

In the history of the "Bear Party," an account of the battle at Cammilla's Ranch may be interesting to some of your readers, as many of them have never heard of the "Bear Party."

About the 17th of June, 1846, news reached the garrison at Sonoma, that two young men who were on their way to their ranch on Russian river, (Messrs. Fowler and Corwin,) had been murdered by a party of Californians, headed by Ramon Corillo and Juan Padilla, and Mr. Todd and two other Americans were kept as prisoners. A party of 22, under command of Lieut. Ford, was sent out to recover the prisoners and chastise the enemy. After an active chase of two days and nights, Captain Ford came up with the enemy at Cammilla's Ranch. The enemy had been reinforced by Captain Joaquin de la Torre, from the south side, making their whole force about eighty six. Ford having some prisoners, was only able to bring eighteen men into the action.

The scene of action, was a high point of land, watered by a small stream, on the banks of which were a number of horse chestnut bushes with a few large laurel trees. The enemy had stopped at the house, (small adobe,) which stood about two hundred yards from the brush-wood and were busily engaged in cooking and eating. Ford brought up his party on the opposite side of the wood and was unperceived until he had nearly approached the enemy. The order was given to tie the horses, take a bush and commence firing. The enemy mounted their horses in great disorder and attempted, after first taking a safe distance, to charge, and at the same time to surround the wood. At the first onset several fell under the deadly fire of the Western rifle, after which, none could again be induced to come within rifle shot, although their officers made speeches and they were urged by every consideration to drive the hated Americans from the country. Many of the Americans who understood Spanish went out and dared them to fight, and bandied opprobrious epithets with them, but nothing could induce them to come near.

The corral containing the enemy's horses was in the wood, and in the possession of Captain Ford. After all efforts had failed to bring on an engagement, the prisoners, who were in the house, being released, Ford ordered his men to take fresh horses from the corral and turn out their tired ones, and returned to Sonoma, without a single man being hurt. The enemy reported three men wounded, none killed, but it has since been pretty well affirmed that eight were killed and three wounded.

Two days after this engagement, Colonel Fremont joined the party, and pursued the enemy to Sanselito, where they got a vessel, left their horses and crossed over to the south side of the bay in the night. Thus ended all show of opposition on the north side.

Col. Fremont having no means of transporting his horses across the bay, determined to go round by Sutter's Fort, on the Sacramento, cross the mountain and fall in on the south of Castro, the Commandant, and thus cut him off from the Governor, Pico. A party of ten men, under command of R. Semple, was sent over to Yerba Buena (now San Francisco,) with a launch, to carry up some provisions, with orders to take the

Captain of the Port, if it could be done without too much risk. These orders were executed, and we reached the Fort, two days in advance of the main body.

On the night of the 10th of July, the whole force was encamped on the American river, expecting to take up the line of march the next morning, when Mr. William Scott, familiarly known as Captain Jack, came into the camp at full speed, with the American Flag, bringing the news that it had been hoisted by Commodore Sloat, at Monterey, on the seventh. The hills and valleys resounded with the hearty shouts of true Americans. The Colonel broached his best breaker of brandy. Mr. Sam. Chase led off with the patriotic song of the "Star Spangled Banner," joined by all who could sing, and those who could not, shouted "long may it wave." Thus, those who had so nobly supported the "Bear Flag," hauled it down, and hailed the stars and stripes as the brightest era in the history of California; little thinking that their services would remain unrequited, and that they would live the next five years under a Military Despotism, from the neglect of their brethren on the other side of the mountains.



THE MEXICAN AND HIS HORSE.

This gallant  
Had witchcraft in't; he grew unto his seat;  
And to such wondrous doing brought his horse,  
As he had been incorporated and demi-natured  
With the brave beast.

Hamlet.

It is the wide ranging plain, with its herds of cattle, the prairie and the desert, that form the horseman. The mountaineer is no rider, for man is better formed by nature to climb among rocks, and to thread his way in safety along a dangerous pass, than the noble animal which the lowlander has so far subjected to his use as to render almost incorporate with himself. The hillsman durst venture to trust himself no further than with a mule. The Mexican "Ranchero" ranks with the former class. He leads a quiet, unobtrusive and contented life, in view of his own corral, in constant attendance upon his cattle, which form the main source of his wealth. In this retirement he becomes perfect in horsemanship and lassoing; from the age of five years and through the remainder of his life he divides his time equally

between sleep and equitation. The lasso, the plaything of the boy becomes a formidable weapon in the hand of the man, the assistance of the horse, without which it is valueless, being presupposed; and should the trumpet sound in his ear, from a neatherd, like David he becomes at once a warrior, if not in the serried ranks, at least in skirmishing and desultory warfare. By the close inimitable union of horse and man he combines rapidity and strength in his attack: by the lead of his steady-guiding hand he whirls in narrowing circles round his foe, who looks on in amazement if unused to this mode of assault, until roused by the unerring lasso to the fearful reality of being dragged along, entangled and powerless, in the hands of an enemy that gives no quarter.

The unerring aim of the Ranchero's lasso falling on its object, like the tree snake, in fatal folds, and the thorough mastery of his horse content his highest ambition, in which latter noble art he is at least upon a par with the far famed horsemen of the east,—the Cossack, the Arab, the Persian, or the Mahratta swordsman.

\*Commodore Sloat, in his first proclamation, says he "found the country in a state of Revolution," giving that as a reason why he took possession of the country.





VIEW OF CAPITOL HILL, VALLEJO.

Vallejo.

To be, or not to be, that is the question.—*Hamlet.*

It may be proper to observe that the point of view from which Vallejo was represented in a former number, had been selected with reference rather to its own intrinsic picturesqueness, than to the site of the capital city, which may possibly spring up there so soon as the rainy season shall have closed. But the interest excited by that slight sketch was such as to determine us to escort our artist to the spot, and there, under proper guidance, to obtain perfectly accurate representations of the locality, looking at it rather with the eye of a land agent than of a painter. And there it was perceived, that justice could not be done to the subject, in the way of rendering it perfectly distinct and intelligible, without giving a double representation—the view of Capitol Hill itself, and the view from the summit of Capitol Hill—varied by the artist, for the avoidance of monotony, by the contrast of a moon-light with a sunset scene. But the eyes of so many are now turned with the deepest interest in that direction, where fortunes are to be made, or lost, according as it shall be ruled by a vote of the Legislative assembly at San José, that we need offer no apology for an occasional lack of variety. The country seems fertile, a deep black soil, covered with wild oats, and dotted with pools of water, while the rise of the hills, the effect of which to the eye is rather steep than otherwise, proves to be a gentle undulation when you set foot upon them.

With regard to its many competitors in the field for the honor of becoming State Capital, they have all retired from the contest, except San José, which enjoys the formidable advantage of present possession, proverbially nine points of security in law, or in tenure. It will be a hard battle between the two, a trial of strength, in fact, between the manifestation

of popular feeling, as evinced by the large majority of votes given in favor of Vallejo—even at San Francisco itself, where jealousy of Benicia might have been expected to have turned them the other way, when the question was brought before the popular tribunal,—and the very strong, though quiet and unobtrusive influences that have been enlisted on the other side. Argument appears to be well nigh exhausted, and is indeed no longer heard, possibly in conviction of its inefficacy to affect the issue, which is now reduced to a question of hard voting, a mere trial of force. Yet, for the benefit of such as chance to be amenable to such influences, we will endeavor to recapitulate, as impartially as possible, the fairest and most cogent reasons that have been adduced by either party.

It is assumed that the objects to be aimed at, in the selection of a site for the State Capital, are centralism, healthiness, security from disturbance, whether of invasion, insurrection, or popular excitement,—and fertility of soil, so as to secure the best and safest class of population, a hardy and honest yeomanry, in its immediate vicinity.

With regard to invasion, the sack and burning of Washington city during the last war is appealed to by the advocates of San José, and the comparative security of that position against an attack from a hostile fleet, to what is offered either by Vallejo, or New York, is strongly insisted on. To this it is answered, that the Golden Gates have first to be forced, and that the contingency is at all events so remote as not to be worth consideration. Moreover, it would be a wealthy commercial city, like San Francisco, not a mere political capital, bare of every thing save speeches in assembly, that would draw the attention of any force which might chance to penetrate within the bay.

With regard to position, it is urged that San José is the geographical centre of the State, being just half way from the Oregon line to San Diego, which is just within our southern limits. To this a fair and sufficient answer is given by Gen. Vallejo himself, in his memorial to the Senate and Assembly of the State:

"This age," he observes, "as it has been truly remarked, has merged distance into time. In the operations of commerce and the intercourse of mankind, to measure miles by the rod, is a piece of Vandalism of a by-gone age, and that point which can be approached from all parts of the State in the fewest number of hours, and at the cheapest cost, is the truest centre."

"The location which your Memorialist proposes as the permanent seat of Government is certainly that point."

That San José is not the true centre of population, which has chiefly congregated to the north of it, in the mining districts, is allowed; but it is urged in answer, that a large portion of the northern population is migratory, with no present interest in California excepting to get what gold they can, and leave so soon as the placers shall show signs of giving out, while the people of the south are *bona fide* settlers and old residents.

With regard to agricultural prospects, the capabilities of the Pueblo country are undoubted. In a very well written article of the *Alta California*, we find the following remarks:—

"It is certain to become rich and populous. There can be no finer country for the cultivation of grapes and olives. Fat cattle and heavy fields of wheat hint of rural comfort and luxurious life. The air is balmy, the wind is the fabled zephyr; there is no blight in it for the tender wheat, no seeds of the malaria ride on its waving pinions. All through this





VIEW FROM CAPITOL HILL, VALLEJO.

beautiful section, among the hills and between the mountains, are broad valleys with limpid water. Such a country cannot much longer lie comparatively innocent of the ploughman's reward—rich harvests. Its population must increase rapidly, and with that, its riches and importance. Then, if not now, the want of a line of communication by means of railroad, will be felt and it will be perfected. This northern commercial depot and emporium must be united to its southern agricultural neighbor by some means more reliable than by sea. A railroad will be the means of that intercourse. And the work, it is needless to say, will be more likely to be perfected if the Capital be San José."

To this the advocates of Vallejo make answer, that in fertility of soil, it is at least upon a par with its rival, and in excellence of climate; that their own communication, within two hours steaming from San Francisco, and six hours from Sacramento and Stockton cities, is already established and secure, whilst the constituting San José State Capital to increase the likelihood of a railway being constructed, is a plain putting of the cart before the horse.

For facility of access, Vallejo has clearly the advantage, being favored with a water front of several miles in extent, in which vessels of any tonnage may ride. San José, on the other hand, is essentially an inland city, for its water communication with the bay of San Francisco is merely a boat channel, narrow and crooked, leading through a quagmire to an embarcadero which is only so in name.

One other question, of more importance at first sight than it will prove to be after maturer consideration, remains for examination; whether the project of changing the site of the State Capital be merely a

magnificent speculation, got up by persons who have weight and influence enough in the community to give it a color, and to stand a fair chance of carrying it through. "The project of locating the Capital," says the *Alta*, "merely to build up a city round it and thus make real estate valuable, bringing the State into a subserviency to the plans of speculators, is not only absurd but wicked—wicked if it be done for that purpose or through such influences. And what questions other than those of speculation enter into the calculation and patriotism of those who urge the removal from its present appropriate location?"

We do not think that the proposals of General Vallejo can be termed a land-jobbing scheme, in any fair sense of the word. He is in possession of property which he believes would form a much more advantageous site for the location of a city than the present one, and proposes that advantage should be taken of it by the state. That he, and others connected with him should share in the benefit, is no more than a matter of course, unless, indeed, the enormous sums which he engages to devote to public purposes should absorb the entire profits of the transaction.

But this, we conceive, is not worth arguing, as being a matter entirely beside the question. The true question is this,—whether the project be advantageous to the State, not whether the projectors be innocent of speculation. "You are one of those, who will not serve God if the Devil bid them," says Iago to Brabantio; and truly to be over-nice about the motives of the suggestors, when a possible benefit to the public is in question, is to rank oneself in the same category with that very worthy, but somewhat stolid old gentleman. What did the people know

or care, when the matter was submitted to their election, about any such motives? With practical good sense it looked the question straight in the face, formed a preference for itself between the two locations, and voted accordingly.

The last observation we have to make, is this. The name proposed for the new city, if a city it should become, is "Eureka," the famous observation of Archimedes when he leaped out of the bath. "Heureka," the preterperfect of "Heurisko," is spelled with an "h," the word being aspirated in the Greek original. Let not a classical mistake go forth to the world from California.

We would direct attention to the advertisement of Thomas Tennent, Mathematical and Nautical instrument maker. Such an establishment as his has been long much needed in San Francisco for the absolute safety of outward bound vessels, which have heretofore been obliged to rely upon watchmakers and opticians for ratings and repairs of instruments. No later than last July, we heard of a vessel leaving harbour, with five sextants, four quadrants, and all other necessary instruments on board, bound for Honolulu for the mere purpose of having them repaired. His having been employed in the celebrated establishment of Wm. J. Young, of Philadelphia, for ten years, is sufficient guarantee of his being thoroughly acquainted with every branch of the business, both theoretically and practically, while he is entitled to much credit for having formed the first and only establishment of the kind in this country, at great expense and under circumstances of peculiar difficulty.



## "Bad Latin."

"E'un ignorante che vuol ammaestrare un dotto."

The *Pacific News* laments its inability to quote correctly the many *latinities* in frequent use, and then undertakes to walk into our French in this wise:

The *Courier* has boasted of its French, and yet it makes as many *faux pas* as any of us, as our friend, Dr. Le Batard, can testify, without feeling angry that his name is *Le* and not *La* Batard, as our neighbors called him. And even our erudite friend of the *Illustrated News* always has a host of mistakes in the quotations in which he indulges, from the various foreign languages, as witness his extract from Sophocles in his last number.

"A little learning is a dangerous thing," and any little care in what we say and write almost always is the cause of our speaking or writing incorrectly.

Now, in the first place, the *Courier* never boasted of its French. We saw M. Le Batard's name spelled, in one of the daily papers "Labatard," and in writing a squib, penned this sentence for our paper of October 29:

"FEE-BILL.—Another doctor, who signs himself Labatard—a name, which, if the gender of the article was changed, a Frenchman would fight on its being applied to him, etc."

And in the next place, who ever told the *News* to make use of the words "*faux pas*" in such a connection? *La-martine* would hardly have written "*faux pas*" if he were ambitious to shine as a *littérateur*. The *News* is not talking of female frailty, in its strictures upon us, we hope.

We could give the *News* "fits" on its classics—but "Es ist vergeblich einen Mohren weiss waschen zu wollen"—which, being translated meaneth "to lather a Moor's head is only a waste of soap."

*A propos des bottes*: we were amused to see an advertisement, printed in the *Herald*, the other day, in this awful style:

"*Au Petit Very*—Rue de l'Eldorado, a Stockton.—Le propriétaire de cet hotel a l'honneur d'informer le public grul vient d'augmenter considerablement le nombre de ses lits. Les voyageurs trouveront chez lui d'escellents amenoryements, ainsi qu'uno nourriture tres confortable a une piastre par jour."

Will the *Pacific News* please translate, and send bill? *Vive le maître d'école*—of the *Pacific News*!—*Courier*.

The *News* makes answer:

"LE COURIER PEDANTIQUE.—If any one has missed a dictionary of quotations lately, we strongly suspect that the same may be found at the office of the above gazetto. By reference to the files of that paper, it will be perceived that said dictionary has not heretofore been as carefully used as was proper. "*Fiat justitia ruat clem.*" "Them's our sentiments."

AWFUL!—The *Pacific News*, which has undertaken to teach us French, heads its second lesson, "*Le Courier Pedantique*." When will the schoolmaster learn to spell French? As to his Spanish, a man who will write, as he did yesterday, "*mucho bueno*!" deserves death, without benefit of clergy.—*Courier*.

So we ourselves likewise, as pacific and retiring in practice as the *Pacific News* in nomenclature, must be lugged in by the ears, *volentes volentes*, into the thick of the fray.

We are more especially disinclined to make answer to the *News*, which, from the very beginning, has given our young journal the support of its good word; but, in simple self defence, and for the satisfaction of our readers, we are compelled to challenge our contemporary to point out the instances of incorrectness that he alludes to, which, if they can be produced, we will apologise for with all becoming humility. In our own research for them, we have been unsuccessful. It is possible, that like the file of sinners

in the fable, each looking into the basket of faults slung over the shoulder of his predecessor, but unable to see into the contents of his own, which, however, is peered into with equal curiosity by the immediate follower in line, we may need assistance in their exposition; nevertheless, on referring back to the many quotations introduced, we can detect but a single error—and that in *English*,—a letter turned upside down, which escaped the eye both of foreman and of editor.

The quotation from "Sophocles" (probably an error of the press for "Æschylus,") more particularly alluded to, is correct; and we are the more surprised at its being found fault with, considering that it is not printed in Greek characters, of which, there is unfortunately no font in California, but in *Italic*, which is so much easier to read. As it is possible that our last number may not be immediately at hand, let the lines be repeated, letter for letter.

"Xunomosan gar, outes echthistoi to prin,  
Pur hai thalassu, kai ta pist' edexaten."

We have been unable to find a copy of Æschylus for reference, in the town, but are confident that our memory has not betrayed us, for Parson Adams himself never held the sternest of tragedians in greater reverence than ourselves, in our pleasanter leisure days. Glorious old hero of the cassock and cudgel joint supporter with Tom Jones of Fielding's immortality, ought it not to be a matter of self congratulation to have been betrayed into a scrape by the same weakness, or predilection as your own. Let the extract be given, to shew how you suffered in behalf of him who first introduced the second speaker on the stage, overlong for our columns, yet too precious for a letter, of it to be lost.

"The clerk now acquainted the justice that among other suspicious things, as a penknife, &c, found in Adam's pocket, they had discovered a book, written, as he apprehended, in cyphor: for no one could read a word in it. "Ay" says the justice, "the fellow may be more than a common robber, he may be in a plot against the government. Produce the book." Upon which the poor manuscript of Æschylus, which Adams had transcribed with his own hand, was brought forth; and the justice looking at it, shook his head, and turning to the prisoner, asked the meaning of those cyphers. "Cyphers," answered Adams, "it is a manuscript of Æschylus." "Who? who?" said the justice. Adams repeated, "Æschylus." "That is an outlandish name," cried the clerk. "A fictitious name rather, I believe," said the justice. One of the company declared it looked very much like Greek. "Greek," said the justice; "why 'tis all writing." "No," says the other, "I don't positively say it is so, for it is a very long time since I have seen any Greek."

"There's one," says he, turning to the parson of the parish, who was present, "will tell us immediately." The parson taking up the book, and putting on his spectacles, and gravity together, muttered some words to himself, and then pronounced aloud—"Ay, indeed, it is a Greek manuscript; a very fine piece of antiquity. I make no doubt but it was stolen from the same clergyman from whom the rogue took the cassock." "What did the rascal mean by his Æschylus?" says the justice. "Pooh," answered the doctor, with a contemptuous grin, "do you think that fellow knows any thing of this book? Æschylus! ho! ho! I see now what it is—a manuscript of one of the fathers. I know a nobleman who would give a great deal of money for such a piece of antiquity. Ay, Ay, question and answer, the beginning is the catechism in Greek. Ay, Ay, Pollaki toi! What's

your name?"—"Ay, what's your name?" says the justice to Adams; who answered, "It is Æschylus, and I will maintain it."—"O, it is," says the justice: "make Mr. Æschylus his mittimus. I will teach you to banter me with a false name."

Whether the practice of travelling beyond the boundary lines of plain English be expedient, is open, we freely confess, to dispute. In that we opine that an editor should consider the class of readers by whom his journal is mainly supported. Now few will deny that an unusually high standard of education, often too studiously concealed under a rough exterior, obtains in California. Young men are here by the hundred, lured out by Eldorado dreams, expecting to find the golden apples of the Hesperides ripe for the gathering, the guardian dragon, labor, no longer watching at the foot of the tree now fain to submit to offices of drudgery to gain a livelihood, but still imbued with the liveliest perception of the charms of classic lore, and enjoying the solace of losing themselves a few moments among early associations, when reminded of it.

Let us not be told that this branch of knowledge, one of the main agents in the softening down and refining of society, is of no use. Useless it may be esteemed, in the Californian sense of the word, as not being a dollar making acquirement; but, for that self-same reason, it should be the more carefully nursed and supported, seeing that dollar-making acquirements are here fully competent to take care of themselves. If it be for a few moments only, let us emancipate ourselves from while to while from utilitarian thralldom, and unbend the bow in the pleasant gardens of literature.

"D—n homo," says ensign Northerton, "with all my heart; I bear the marks of him upon me yet;" but the gallant militarist will not be held up by many as a pattern of the humanities.

We may have been betrayed into an overwarm defence of what may be considered hardly worth defending, but having been touched in a weak, or sensitive point, could not resist the temptation of doing battle in defence of a hobby. We have spoken in all modesty, and in all good humor, and trust that our observations may be so received.

VOGUE LA GALERE.—We learn with pleasure that a paper is about to be established at San José, under the auspices of Mr. James B. Devoe, formerly of the *Pacific News*. It will be entitled *The California State Journal*. That San José should have been pressless hitherto, and the members of the Legislature unsubjected to the wholesome restraint of full and immediate reports, is an anomaly from which it is high time the State should be relieved. May our new contemporary go on and prosper.

A BREAKFAST IN THE MINES.—In order not to make a rush upon the trade, we divided ourselves into three parties, each going to a different store. Mac and myself went together, and made a breakfast from the following items;—one box of sardines, one pound of sea-biscuit, one pound of butter, a half pound of cheese, and two bottles of ale. We ate and drank with great gusto, and when we had concluded our repast, called for the bill. It was such a curiosity in the annals of a retail grocery business, that I preserved it, and here are the items. It may remind some of Falstaff's famous bill for bread and sack.

One box of Sardines,.....	\$16 00
One pound of hard bread,.....	2 00
One pound of butter,.....	6 00
A half pound of cheese,.....	3 00
Two bottles of ale,.....	16 00

Total,.....\$43 00

—Six months in the Gold Mines, by E. Gould Buffum.





VIEW OF PORTSMOUTH SQUARE, SOUTH SIDE.

In a former number we offered representations of the east and west sides of the Plaza, which is undeniably the most striking feature in San Francisco. In conformity with our rule of completing every subject, by way of preserving memorials of the past in this city of almost phantasmagorical change, we give a faithful delineation of the south side also, as it stands at present,—unlikely, at this accelerating rate of progress, to stand as it is much longer. Of the Plaza as it was, its old associations and early appearance, a detailed account has been already afforded, leaving nothing to be said but what the engraving can better tell for itself.

We have succeeded in obtaining a portrait of the late Hardin Bigelow, Mayor of Sacramento, drawn by G. V. Tempsey, Esq., an intimate friend of the deceased, and an assiduous attendant during his illness. He died on Wednesday last, of cholera, all chance of recovery from which was precluded through the debilitated state in which he was left by the famous squatter conflict. It had been better for him to have fallen on the spot, than after three months of intense suffering, both of mind and body—twice suffering amputation, and compelled, in the forced inactivity of a sick bed, to witness his affairs falling into irretrievable confusion—to be carried off by the pestilence that has raged so fearfully amongst us.

*De mortuis nil nisi bonum*—the giving of a good word to the dead, is a maxim so invariably acted up to, that a post mortem eulogy is past over slightly, as words of course, which could not have been refused. We have therefore resolved upon transferring to our columns a very well written notice of the deceased from the *Pacific News*, which having been composed during his lifetime, is less liable to the suspicion of partiality.

HON. HARDIN BIGELOW.—We had the pleasure of meeting with this gentleman last week, and enjoying with him a long and interesting conversation. We at once recognized in him one whom we had known for a short time in the mines. He is perhaps a little below the medium height, stoutly

framed, and possessed of a pleasing open countenance, indicative of great firmness and intelligence. His history, which has been quite eventful, bears full evidence of the correctness of these remarks.

Born of the Bigelow family, well known and esteemed in Massachusetts, at the age of four years he removed into New York State; and from that time on, his life has been mostly taken up with the growth and development of that portion of the States formerly known as the Northwest.

In the terrific explosion of the Moselle, and the Wilmington, Mr. Bigelow narrowly escaped with life, having met with severe losses. During the Black Hawk war in Illinois, he again made some hair-breadth escapes. For a period of twenty-eight months in the West Indies, New Grenada, Peru, Chili, and Central America, the knowledge he has gained of this coast and its inhabitants, has been very considerable. In his business connections and official standing in the State of New York and the West, he has gained much valuable acquaintance with men and things.

Mayor Bigelow came to California in the first steamer which reached these shores, and entered at once into the active pursuits of business. He spent some time in the mines on the Mokelumne, and was early interested in the building up of Sacramento. His course throughout the difficulties which unhappily arose there, has been marked by great firmness and much prudence. So far as his own personal interests and feelings were concerned, we consider him entitled to public admiration. It was only from a strong sense of duty as a public officer that he engaged in the suppression of the riots, and though a very heavy loser himself in consequence of the squatter movement, and a deep personal sufferer, not a word of complaint to the public has escaped him.

We regard Mayor Bigelow as a fine exemplification of the American character, as exhibited in its intelligence, energy, individual courage, and undying hopes. No community can long fail to feel the presence of such a man; and it is by the force of such spirits that we are pursuing our glorious career as a people.—*Pacific News*.



HARDIN BIGELOW.



For the Illustrated California News.

**COUNT HAYNAU IN THE CALIFORNIA "DIGGINS."**—To prove that European politics are not overlooked, even in the wilds of the Gold regions, I may mention, that it was my fortune accidentally to be present on Saturday evening last at a meeting of good fellows on the Stanislaus River, rejoicing in the title of "The Jolly Diggers."

The pannikin and song passed freely round, and many a good ditty was trolled, recalling the associations of our hoyhood's home; but I was more struck by the simple humour of a song, sung by a youth yeapt "Fairhaired Frank;" (who, it appears, generally sings his own anthems,) and I give it as far as a pencil notation during the encore enabled me. I do not know the author's real name, so I suppose I cannot do better than attach his mining soubriquet to the song.

#### THE AUSTRIAN BUTCHER IN ENGLAND.

TUNE.—"Barclay and Perkins' Drayman."

The Count, Haynau, on a visit went,  
Across the English water,  
From the place where nunny a heart he'd rent—  
Poor Hungry's field of slaughter.  
He admired the streets and houses tall,  
He saw the priests and laymen;  
But the men who astonished him most of all,  
Were Barclay and Perkins' Draymen.

Fol de rol, lol, &c.

To the brewers he went their beer to taste,  
And wrote his name in the book, sir;  
The clerk he read and rushed out in haste;  
With horror in every look, sir—  
And soon it spread all o'er the place  
Among both young and gray men,  
"We'll mob the butcher and spite his face,"  
Said Barclay and Perkins' Draymen.

Fol de rol, lol, &c.

Then out they rushed in "a awful way,"  
With angry imprecations;  
And all were armed for such a fray,  
According to their stations.  
And Haynau, with fear and trembling shrank,  
And said he would not stay then,  
For he liked not the hungry words and looks  
Of Barclay and Perkins' Draymen.

Fol de rol, lol, &c.

But as he turned to leave the place,  
With fear in his cowardly mind, sir,  
A bucket of grubs came slap in his face,  
And the lash of a whip behind, sir.  
And then, to clear his face from dirt,  
While for mercy he'd beg and pray then:  
He was knocked right into a vat of hot wort,  
By Barclay and Perkins' Draymen.

Fol de rol, lol, &c.

A mob soon gathered round the gate,  
Inquiring of the matter;  
And the men the reason did relate  
For making such a clutter.  
"It's the Austrian Butcher, Count Haynau,  
Who in calm, cold blood did slay men:  
Why he stripped the women and flogged them too!  
Said Barclay and Perkins' Draymen.

Fol de rol, lol, &c.

At last he fought his way outside,  
In a glorious state to see, sir,  
Ingrained with dirt and sore beside,  
And he thought that he was free, sir;  
But here he found another lot  
Of Conkhavores, all gay men,  
Who said they'd teach him "rot was rot,"  
Like Barclay and Perkins' Draymen.

Fol de rol, lol, &c.

Then they hunted him from street to street,  
With blows and curses too, sir,  
And said they'd make of him mince-meat,  
Before they let him go, sir.  
And every woman who heard the threat,  
With fervency cried "Amen,"  
And a waterman gave him some "cavy vet!"  
Like Barclay and Perkins' Draymen.

Fol de rol, lol, &c.

Then he rushed right up a tavern stairs,  
And hid himself in a closet,  
And though they hunted everywhere,  
They ne'er found the "foul deposit."  
And e'er a day and night were o'er,  
In woman's dress they say then,  
Disguised he fled from England's shore,  
And Barclay and Perkins' Draymen.

Fol de rol, lol, &c.

FAIR HAIR'D FRANK.

**DAMMING.**—Having heard much of the failure of damming operations the past season, I was induced, during a visit made a short time since to Oregon Bar, on the North Fork of the American River, to make some observations regarding the subject. I visited the river at several points and found the amount of labor expended in these operations immense. At almost every point visited, where at all practicable the attempt had been made. I counted from one point of observation, four works of this kind in progress, none of which were by any means inconsiderable in design. The history of these operations for the past season has been somewhat unfortunate, but the experience of the past will by no means warrant their discontinuance. I am convinced that a large amount of gold will be realized in this way the coming season, from the fact that in a large number of cases that have come to my knowledge, the failure did not consist in an absence of the thing sought, but in the rude manner of obtaining it. From the frail nature of the dams, and the insufficient capacity and faulty grading of the races, the miners met with constant interruption from the waters seeking their original channel—and the first freshet, in many cases, entirely destroyed the work. The amount of labor and capital thus lost is immense. In several instances, I had it directly from persons engaged in these operations at various points, that the yields at their respective dams during the brief period when they could carry on their operations, were such as to equal their highest expectations. I heard of many instances of companies still remaining by their claims, with the intention of reconstructing their works another season on a surer basis. Some companies have already had the assistance of Civil Engineers and regular surveys of the contemplated work have been made.

A case in point is the dam and race at Oregon Bar, in which your friends, Messrs. Craig and Cole, are engaged. Their work this season was almost a total loss, from the above mentioned causes. The company were unable to work more than three or four days before the dam was carried away. While they did work, however, they realized a very large yield. A complete survey of the work has been made by a Civil Engineer from this city, and they contemplate a reorganization, and a vigorous prosecution of the enterprise, with the most flattering prospects of complete success.—*Correspondence of the Transcript.*

**SANTA CLARA VALLEY.**—In a visit last week up the Valley, we were gratified to see the increasing evidences of the importance which that fertile region of our State is destined to exercise on the business of San Francisco. Every where along the road dwellings were going up, and many preparations made to cultivate the soil—and if the settlement of the Valley continues to progress with the rapidity of the past season, there will be little need of importing our supplies from foreign countries. However numerous may be the advantages of other agricultural districts, the magnificent Valley of Santa Clara is bound to become the garden of California; and its proximity to the best market for its products, as well as its unsurpassed salubrity of climate, will always maintain for it the first position among the fertile and lovely vales which abound amidst our mountains.

San Jose and Santa Clara are growing rapidly,—the new dwellings going up in all directions being of a substantial class.—Among these the elegant mansion of Senator Crosby, in San Jose, stands conspicuous for its architectural beauty and interior conveniences of arrangement. We believe this is the finest and costliest building in the state.

A handsome wire fence is being put up around the large domain of Com. Stockton, the materials being brought from the Atlantic side. It is an example in durable improvement that will doubtless be followed by others. With a plank road from Alviso to San Jose, which we are confident will be constructed ere long, the communication with the heart of the Valley during the rainy season will be uninterrupted, and a large and increasing trade be enjoyed by San Francisco, to the advantage of both producer and consumer.—*Pacific News.*

Two splendid steamers left this port on Saturday last, for Oregon, the California and the Gold Hunter.

**INCENDIARISM AND ROBBERY.**—For a month past various acts of violence committed at night, always with an intent to rob, have startled the community and have caused wide-spread uneasiness and distrust. Men have been knocked down in the street and robbed,—a vessel lying in the harbor has been boarded, and the captain beaten in such a manner as to endanger his life. Various other like occurrences have taken place, and we believe the perpetrators of the outrages have in most cases escaped detection. Again—four attempts have been made within a few weeks to fire the city. One of these has proved successful—the others fortunately were detected in time to prevent a conflagration. It is worthy of remark, that these attempts are mostly confined to one block—Commercial street between Montgomery and Kearny—and that the manner in which they were made betrays a settled determination to cause the destruction of property in that quarter. At one time, the incendiary set fire to the wood work in the cellar—at another time, the fire was detected between two houses.

Our police are undeniably efficient, but some means should be devised to lead to the detection of the wretches who are warring so determinedly on the community. Rewards should be offered, and active measures taken to put a stop to those outrages. If the haunts of the perpetrators be known to the police, let them be broken up;—there is sufficient authority in the crimes which daily startle our citizens by their enormity. But for the vigilance of the firemen, the town would have been burned down four or five times in as many weeks. Of course the man who would set fire to a building in this city, would cut a throat quite as readily if he could gain anything by it, and could do so with impunity.

We are opposed to Lynch law, and even averse to capital punishment, but it would be a praiseworthy act to take out and hang in the Plaza the first men detected in setting fire to a house in this city, and we hope to see that gentle admonition given should any of those wretches be fortunately detected.—*Herald.*



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#### MR. ARMSTRONG'S BOARDING HOUSE.

THIS quiet and comfortable Boarding House is situated at the extreme south end of Montgomery street, opposite the Chinese House; combining the advantages of town and country, being actually contiguous to both on either side. The careful regard to respectability with which this house is conducted, has hitherto ensured it a superior class of visitors, whose permanent stay it is the policy of the proprietor to ensure by the most unrelenting attention to their comfort, and by never letting pass an opportunity of increasing the satisfaction which they have already been pleased to express. For the amusement of those who are musically disposed, a piano forte and seraphine, imported by the proprietor, have been placed upon the premises. Terms, \$10.00 per week.

#### JOHNSON'S DAGUERREAN GALLERY.

GEORGE H. JOHNSON begs to apprise the public that he has opened a Gallery, on the North side of J street, between Third and Fourth of all who will favor him with a visit, whether they be intending sitters or not. The rooms are fitted up expressly for the purpose, a skylight having been introduced, and various important alterations made to insure the success of the operation. He will undertake to warrant his Daguerreotypes equal to any taken at the best establishments in the States. A large assortment of Frames, Cases and Lockets constantly on hand; also, a Daguerreotype Apparatus, Chemicals, &c.























